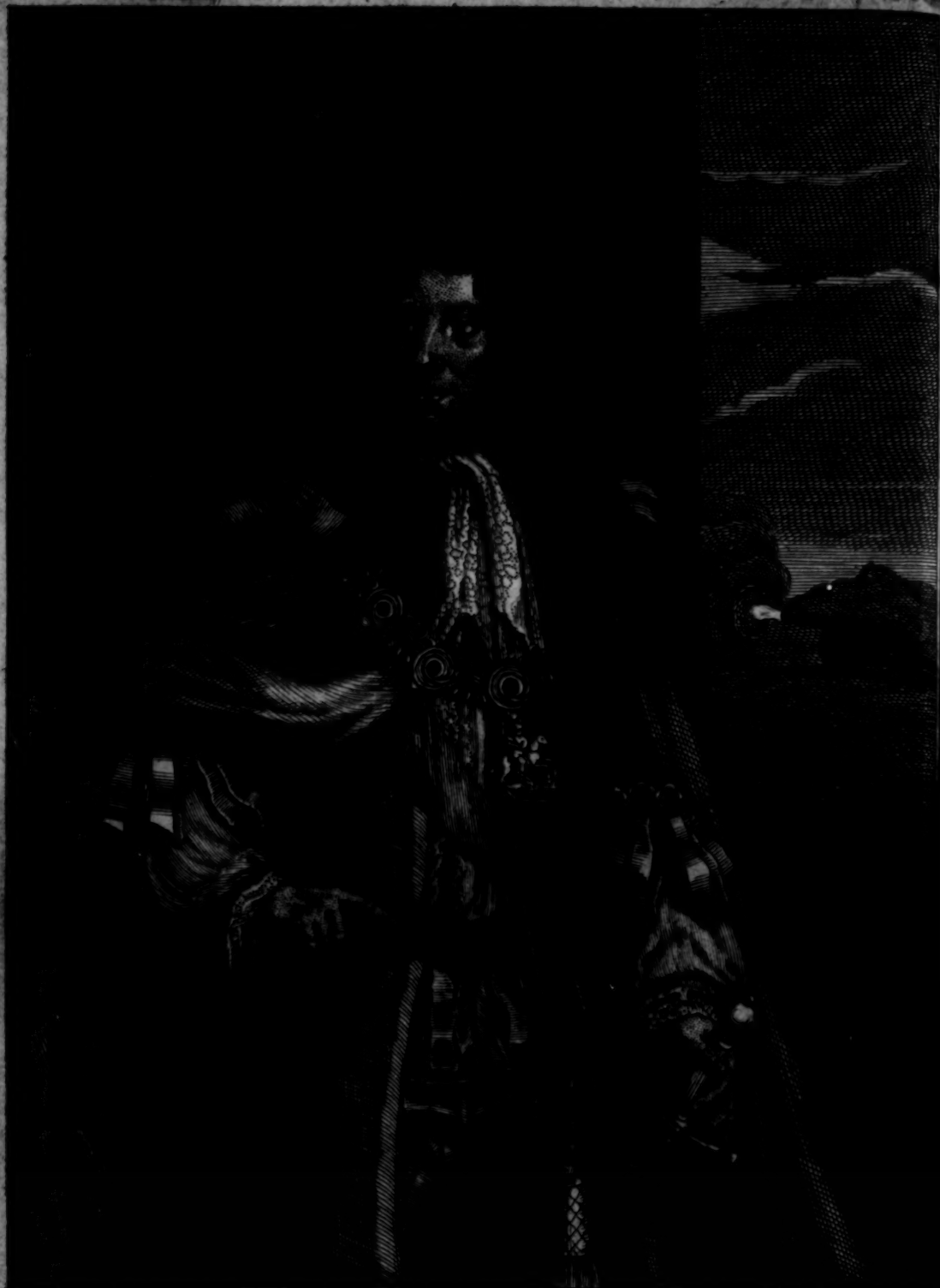




*The High, Puissant, & most noble Prince, James Duke of Hamilton
in the Kingdom of Scotland, Duke of Brandon in England, & Duke of
Châtellerault in France, Marquis of Clidale, Earl of Arran, Lanerik &
Cambridge, Lord Aven, Polmont, Machanshire, & Innerdale Baron of Dalton
in England, K. of y^e most noble Order of y^e Garter, & of y^e most pncient & noble Ord
of y^e Thistle: One of her Maj. most Hon. privy Council Master Gen. of y^e Ordnance, Com
L. Vice Admiral, Castor Rotulorum, & chief Ranger of y^e Forests, of y^e County Palatine
Lancaster & named plenipotentiary, & Embass. extraordinary from her Maj^{ty} to y^e C^{ty}
of France upon y^e conclusion of y^e Peace.*

MEMOIRS

OF THE

LIFE and FAMILY

Of the Most Illustrious

JAMES

Late DUKE of

HAMILTON.

★

WHEREIN

Besides many other Curious Particulars, is
inserted a Copy of the LETTER sent
by his GRACE, to his Son the Marquis
of CLIDSDALE, in *Scotland*, the Night
before he Fought the Duel with the Lord
MOHUN.

L O N D O N :

Printed for T. TAYLOR, at the *Rose* in
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[Price 1 s. 6 d.]



THE
L I F E

Of the most Illustrious

J A M E S,
Duke of *Hamilton*, &c.

THIS most Noble and Illustrious Family of *Hamilton*, however seated in *Scotland*, is of a very Antient and Noble *English* Extraction, Descended from the *Bellemonts*, who were Earls of *Leicester* soon after the Conquest, and so continued many Generations. The Head of the *Hamilton* Line, was Sir *William de Hambleton*, (so called from the Manor of *Hambleton*, in the County of *Bucks*,) who was third Son of *Robert de Bellemonte*, Earl of *Leicester*,

2 The LIFE of JAMES,

cester, Surnamed *Blanchmains*, or *White-Hands*; a Man of great Experience and Reputation in the Wars, by *Petronel* his Wife, Daughter and Heir of *Hugh de Grentemesnil*, Lord of *Hinkley*, in whose Right he had the said Lordship of *Hinkley*, and the Stewardship of *England*.

This Sir *William de Hambleton*, went into *Scotland* about the Time of *Henry II.* where his Second Brother *Roger*, was Archbishop of *St. Andrews*, and Chancellor of *Scotland*; and his Sister *Margaret* married to *Saher de Quincy*, Earl of *Winchester*, and Constable of *England*. Here he married *Mary*, only Daughter and Heir of *Gilbert* Earl of *Strathern*, and became possessed of a very fair Inheritance: But the frequent Wars between the Two Nations of *England* and *Scotland*, soon after breaking out, it obliged him to return to *England*, by which he forfeited his Estate, he being an *Englishman*, and an Enemy to *Scotland*.

Sir *Gilbert*, his Son, about the Time of *Alexander II.* King of *Scotland*, returned again into *Scotland*, and was kindly receiv'd by that Prince, and had in Recompence of his Father's Estate so forfeited, considerable Lands given him in that Realm, among which was *Hamilton*, the present Seat of that Family. He married the Niece of *Robert Bruce*, King of *Scotland*, and was succeeded by Sir *Walter Hambleton*, his Son and Heir, who was one of those Eminent
Scots-

Scots-Men, that Subscribed the *Ragman Roll* Anno 1294, where he writes himself *Walter Fitz-Gilbert de Hambleton*.

Sir *David Hamilton*, his Son, was one of those, who having fought very bravely at the Battle of *Durham*, was there taken Prisoner with King *David Bruce*, and delivered into the keeping of the Archbishop of *York*. He was after a Member of the Parliament, when the two great Entails of the Crown were made, one Anno 1370, and the other 1373. His Name is inserted in the one, and his Seal affix'd to the other. He died about the Year 1375.

This Sir *David* was Great-Grandfather to Sir *James de Hambleton*, who by Ordinance of Parliament, was created a Peer of *Scotland*, by the Title of Lord *Hamilton*, in the Year 1445. This Lord *Hamilton*, was one of the Hostages for the Payment of the Ransom of King *James I.* and likewise one of the Commissioners to treat of a Peace with *England*, which was thereon happily concluded; and he was after in constant Trust and Reputation by his Prince.

James, the Second Lord *Hamilton*, his Son and Heir, was frequently employed by King *James II.* in managing and concluding Treaties with *England*, as an Ambassador, and in particular concluded the Treaty at *Alnwyke*, Anno 1473. He was a very great Favourite of King *James III.* and a Man of great Courage and Magnanimity, which he

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4 *The* LIFE of JAMES,

manifested on several Occasions, whose Deserts were rewarded by Consent of Parliament, with the Marriage of the Princess *Mary*, Sister to that King: By her he had *James*, who succeeded him, and a Daughter, *Elizabeth*, married to the Earl of *Lenox*.

James, the Third Lord *Hamilton*, was by King *James* IV. created Earl of *Arran*. He was sent into *England* to Negotiate the Marriage betwixt that King and the Princess *Margaret*, Daughter to *Henry* VII. of *England*, and having concluded that Match, did in the most Pompous Manner Solemnize the same. The King was so sensible of his good Services, and great Expences in this Matter, that he granted to him the Island of *Arran*. This Earl was a Man of great Prudence and Courage; and was sent with Three Thousand Men to the Assistance of the King of *Denmark*, against the *Lubeckers*, whom he brought to submit to that King's Terms. He was afterwards made Admiral of *Scotland*, and sent with a considerable Force to the Assistance of the King of *France*, where he arrived safe, though he met with violent Storms, and did that Prince very considerable Services; and that King, in Reward of his good Services, made him Knight of the Order of the *Cockle*, and gave him a Pension of Twelve Thousand Livres *per Annum*, for his Life. During the Minority of King *James* V. *John*, Duke of *Albany*, was declared Governour of *Scotland*, as nearest
Rela-

Relation to the young King; but that Duke designing to take a Voyage into *France*, he appointed *James*, Archbishop of *Glasgow*, Chancellor. This *James*, Earl of *Arran*, *Alexander*, Earl of *Huntley*, *Colin*, Earl of *Argyle*, and *Anthony Darcy de la Bastie*, Knight, to be Regents of the Kingdom, during his Absence; but the other Regents, and Lords of Council, soon after, viz. the 24th of *September*, 1514, devolved all their Authority upon this Earl of *Arran*, to continue Regent during the Duke of *Albany's* Absence; in which Time of his Regency, he concluded a Peace with *England*, suppressed several Insurrections, preserved good Order upon the Borders, and restored Peace and Quiet to the whole Countrey, and discharged that Office to universal Satisfaction; so that upon the Duke of *Albany's* Second Voyage into *France*, he was again appointed Regent during his Absence, which he discharged very faithfully.

James, the Fourth Lord *Hamilton*, and Second Earl of *Arran*, was, though but young, one of those who attended King *James V.* of *Scotland*, into *France*, where that Prince was married to *Magdalene*, Daughter to the King of *France*, and was upon that King's Death, declared Governor of *Scotland*, and Tutor to the Infant Queen *Mary*. Soon after his Advancement to this Dignity, he called a Parliament, and he was by them, as nearest Kinsman of the
Blood

6 *The* LIFE of JAMES,

Blood-Royal of *Scotland*, declared rightful Tutor to the Queen by a special Act: By a Second Act of the same Parliament, he was declared Governour of the Queen and Kingdom during her Infancy; and by a Third Act, declared to be Second Person of the Kingdom, next Heir to the Queen, and failing in her, by Decease, without Heirs of her own Body, to be rightful and undoubted King of the Realm of *Scotland*. These Three Acts past unanimously, and were by a special Ordinance, appointed to be extended or engrossed upon a Sheet of Parchment, and the Great-Seal of *Scotland*, together with the Seals of the whole Members of Parliament, as well Clergy as Laity, to be affixed thereto. These Acts so Extended and Sealed, are now in the Custody of Her Grace, the Dutches of *Hamilton*.

This Earl soon after concluded a Treaty of Peace between *England* and *Scotland*, and likewise a Treaty of Marriage between the Prince of *Wales*, and the Infant, Queen of *Scots*; but King *Henry VIII.* making several Additional Demands after the Treaty was concluded, to which the Governour would by no Means comply, the Treaty proved abortive, and the Parliament of *Scotland*, the 11th of *December*, 1542, declared the King of *England* had broken and violated the Treaty, and therefore not to be kept on the Part of *Scotland*, by Law and Equity, and just Reason; and the young Queen was soon after

after sent into *France*, and a Marriage concluded upon, between her and the *Dauphin* of *France*. In 1548, this Governour was made Knight of the Holy-Ghost, and created Duke of *Chastelherauld* in *France*, and his Right of Succession to the Crown of *Scotland* was Acknowledged and Recognized by the King of *France*.

He continued Governour till 1555, that the young Queen being then of Age, chose her own Curators, or Guardians, by whose Advice she named her Mother to be Regent; and the Duke very willingly resigned in her Favour, and laid down the Employment, which he had held to universal Satisfaction, for Twelve Years; and had his Conduct during all that Time, most Solemnly approved of by the Parliament of *Scotland*, and a very ample Testimony given him of the good Services he had done his Countrey; the Words of the Act are, ‘ That he, by his great Labours, vehement Expences, and Daily Danger of himself, his Kin, and Friends, had relieved their Sovereign’s most Noble Person, from the cruel Pursuits of the King and Council of *England*, and had left free the whole Realm and Dominions of his said Sovereign Lady, without any Part thereof withholden by her Highness’s old Enemies, notwithstanding the Assistance given them by several of the Subjects of *Scotland*.

He

8 *The LIFE of JAMES,*

He was a mighty Favourer of the Reformation, and contributed very much to the Advancement of it in *Scotland*, but still with that due Submission to the Crown, that every Subject ought; and he continued very faithful to Queen *Mary* after her Return to *Scotland*; but finding Matters carried on contrary to what he thought the Interest of the Countrey, he asked, and obtained Leave to go into *France*, which he did, and continued there for some Years.

During his Stay there, what great Miseries befell that admirable Queen, are too well known; how *Rizio* was Murthered in her own Prefence; how her Husband was killed by some of her Subjects, and the Blame laid upon the Queen; how they, to Ruin her, forced her in a manner to marry *Bothwell*, and then, under Pretence of pursuing *Bothwell*, rose up in Arms against the Queen; and after they had tricked her into a Compliance with them, most barbarously, contrary to the Laws of God and Nations, Imprisoned her in *Loch Leiven*, is a Story too Melancholy to be insisted upon, especially if we consider, that from this Fountain flowed all the Streams of her other Afflictions, which ended in that unheard of Tragedy, of separating her Head from her Body, by the Hand of a common Executioner.

The great Trust the Queen placed in this Duke, and his Family, appears beyond Contradiction from this, that when she had made
her

her Escape from *Lock Leiven*, she went to *Hamilton*, and there she knew she was secure, the Loyalty of that Family was so great, that she was not at the least Demurr, whether to betake herself, but immediately went there.

The Loyalty of the *Hamiltons* did still more appear in the great Number that accompanied the Queen at *Langside*; and although the Success was not conformable to their Wish, yet they there signalised themselves so much, that our unfortunate Queen takes a particular Notice of it, in her Letter from *Carlisle* to the Duke, when she had fled to *England*, and earnestly desires him to come over; and the more to confirm the great Trust she put in him, she gave him a Commission to be Governour of the Kingdom, till she were restored.

Queen *Elizabeth* having, contrary to the Promise given to that Illustrious Princess, detained her in Prison, to give, at least, some probable Shadow of Ground for this her Injustice, proposed a Conference to be held betwixt the Commissioners of Queen *Mary*, and the Earl of *Murray*, the then pretended Regent. The Time being appointed, Queen *Mary* wanted her trusty Friend, the Duke of *Chattleherauld*, on whom she laid the great Strefs of her Affairs, sent him a very kind Letter, desiring him to come over to *England* to that Conference; he, who never disputed his Sovereign's Commands,

C

though

10 *The LIFE of JAMES,*

though he loved a private Life well, yet came over to *England*; where Bishop *Lefly* says, he continued, and concurred and assisted with the Commons for Queen *Mary*, with his Friendly Council, Honourable Presence, Learned Diligence with the Queen and Nobility of *England*, for his Mistresses Service.

But Matters going contrary to the Duke's Inclination, and Queen *Elizabeth* favouring too much Queen *Mary's* rebellious *Scots* Subjects, because she found them Men at her Beck; and who, to have the Reins of Government in their own Hands, would sacrifice the Liberty, &c. of their Country to her. The Duke, by Queen *Mary's* expresse Commands, proposes that the Government may be given to him, until the Queen were at Liberty, or the young Prince of perfect Age; this, though both conformable to the Law and Custom of *Scotland*, Queen *Elizabeth* positively refused to give Ear to: She knew very well his Birth put him above that mercenary Condition, which she desired them that should have the Government to be; she knew he was too Loyal (an inherent Virtue in the Family,) to prefer her Measures to embroyl the Nation, to that of the Good of his Country; he then got a Commission from Queen *Mary*, with which he went to *Scotland*; but before he had made Use of it, *Murray* had cunningly entered into the Duke of *Norfolk's* Favour, and pro-

promised, when he went Home, to procure the Queen's Liberty, and Restoration to her Royal Dignity ; the Duke informed the Queen of this, who therefore wrote to *Chatleherault*, to own him ; *Murray*, to seem consistent to his Promise, enters into Terms with the Dukes ; but these he not only failed to fulfil, but contrary to the Laws of Honour, Imprisoned the Duke, and indeed most treacherously betrayed the Duke of *Norfolk*, as he sent all his Letters to Queen *Elizabeth*, a piece of Treachery scarcely to be paralleled in History ; but what will not one do, whose base Designs led him to attempt the Crown, and be treacherous to that Duke, who had been so kind to him.

What fatal End this pretended Regent had, none who knows our History, but knows ; and had he but lived a little Time longer, he had very probably made the Duke of *Chatleherault*, then a Prisoner, suffer his utmost Indignation, he knew well he would oppose his Attempts to the Crown to the utmost, and would never basely prostitute the Honour of the Nation to his Caprice.

The Duke having got out of Prison, tho' not till after the Bastard's Death, got a new Commission from Queen *Mary*, where she designs him her true, faithful, and adopted Father, who from his Infancy had signalized his Faithfulness and Zeal for her Service ; and she still called him by that Name, and committed all her Concerns to his Care. He

12 *The LIFE of JAMES,*

as a dutiful Subject, proclaimed this Commission, desiring the Subjects to give Obedience thereto, for which he and all his Friends were forfeited at *Linlithgow*, in 1571.

That though the Rebels in *Scotland*, by the Assistance they had from *England*, proved too strong for the Duke, and the Loyalists, yet he continued still faithful to his Princess, and to his dying Day never omitted any Opportunity to serve her, and with a generous Loyalty, rejected all the Offers that were made to him by the other Party; and still by his Authority and Interest, kept the other Party from attempting any Thing to the Prejudice of the Crown till his Death, which was in 1575.

This Duke was a Person of great Justice and Candor, and set nothing before his Eyes but the Publick Good; so that Archbishop *Spotswood* says of him in his History, that in his Court there was nothing seen that the severest Eye could Censure or Reprove. In the Publick Government, such a Moderation was kept, as no Man was heard to complain: The Governour was reverently obeyed, and held in as great Respect, as any Kings of preceeding Times; and indeed, though he had several Opportunities of Aggrandizing his Family, particularly by Marrying the young Queen to his eldest Son, to which he was solicited by the greatest Part of the Nobility of *Scotland*; yet he
had

had too much Regard to the Greatness of his Queen, and what he thought the Interest of his Country, to let any private Views By-ass him; and that Queen all his Life, reposed her whole Concerns in his Hands, named him her adopted Father, and he to the last, answered the Trust reposed in him. And Archbishop *Spotswood* further says of him, he was a Noble Man, well inclined, open and plain, and without all Dissimulation; and though he met with great Troubles, yet by the Goodness of God, who always favours the Innocent and Honest-minded, he went through all, and died honourably, and in Peace.

He was succeeded by *John*, Lord *Aberbrothick*, his Second Son, (the Eldest dying without Issue.) This Lord was, together with his Father, forfeited for his firm Adherence to Queen *Mary*, in 1571, and though by the Pacification he was restored, yet he, together with his Brother, Lord *Claud*, was again forfeited, in 1587, and the Estate and Dignity of the Earl of *Arran*, was bestowed upon Captain *James Stewart*, and he continued in Banishment till 1595, that he, and some other Lords who were Banished, finding the King, (*James VI.*) then but Young, governed by very pernicious Councils, returned to *Scotland* in a Body, without any Intention of Violence, and were reconciled to the King, who when he saw this Lord, he received him with the greatest Kind-

14 *The LIFE of JAMES,*

Kindness, and told him, my Lord, I did never see you before, and must confess, that of all this Company, you have been the most wronged; you were a faithful Servant to the Queen, my Mother, in my Minority, and when I understood not, as I do, the Estate of Things, hardly used; and the King made him immediately Governour of *Dumbartone*-Castle, and from that Time he continued in great Favour with his Prince.

This Lord had, as all the others of that Name, been a violent Stickler for Queen *Mary*; and whilst he was in *France*, he published a Cartel under his Seal, offering to fight any Man who durst say Queen *Mary* was accessory to the Murther of her Husband, or guilty of any the Crimes she was charged with by her Rebellious Subjects. And that Princess, when that severe and unparalleled Sentence of Death was to be executed upon her, took a Ring off her Finger, and gave it to one of her Servants, and ordered him to carry it to her Cousin, Lord *John Hamilton*, and tell him, that was all she then had to Witness her great Sense of his and his Families constant Fidelity to her, and of their suffering for their Interests, and desired it might be still kept in the Family, as a lasting Evidence of her Kindness to it, which is preserved to this Day.

King

King *James* treated him with the same Respect his Mother had done the Duke of *Chastleherauld*, call'd him always Father, and wrote to him often with the greatest Esteem and Familiarity that was possible; and when that King went to *Denmark*, to bring home his Queen, he named him Lord-Lieutenant of the *South of Scotland*, and left him a Letter (yet extant) full of great Esteem and Kindness; to which he added this Postscript with his own Hand.

My Lord, if my constant Trust had not been in you, of your great Love towards me, I had not thus employed you upon such an Occasion; therefore I assure myself you will not frustrate my Expectation.

He also called him to Christen one of his Children, and continued to the last to put great Confidence in him. That Lord did indeed deserve to be so used, for he had with an invincible Patience and Loyalty submitted to the hard Usage he met with, during that King's Childhood, and some Years after.

In the Year 1599, he was created Marquis of *Hamilton*, the first in *Scotland* that ever bore that Dignity; he lived to a very good Age; and died *Apr. 12. 1604*. He was a Gentleman of very bright Parts, and bred a Scholar, and had the inherent Quality of the Family, I mean Loyalty to the greatest Degree; and it may be said of him and his Father, tho' they stood next the Crown for
Fifty

Fifty Years together, from 1543, that King *James V.* died, till 1593, that Prince *Henry* was born; during all which Time there was none but Queen *Mary*, and King *James* of the Blood-Royal; yet all that while their Deportment shewed, that they had no other Design but to serve these Princes with all possible Fidelity and Zeal; and tho' *Scotland* was then much distracted with intestine Broils and Disorders, yet they never set themselves at the Head of any Faction, nor departed from the Interests of the Crown: On the contrary, this Marquis, tho' he was solicited by a Letter sign'd by Mr. *Bruce*, and Mr. *Balcanquell*, two of the violent Clergy in 1596, in the Name of their Godly Brethren, to head them against the King, he positively declined it, and by his early Information of it to the King, nipped that Rebellion in the Bud; and when he was Dying, and giving his Blessing to his Son, and reckoning up the most Signal Favours of God to him, he named Three more particularly. The first was, That during all his Troubles, and notwithstanding the great Offers were made him in *France*, by the House of *Guise*, if he would change his Religion, yet God had never left him to do so base a Thing, though he lost his Interest in that Court by refusing it. The other was, That he had never oppress'd any of his Vassals and Tenants. And the Third was, That he had never entertained one Thought contrary to the Duty he owed the Crown;

Crown; and that no hard Usage he met with had ever prevail'd on him to any such Design and therefore charg'd his Son on his Blessing to continue in the same Courses. He married *Margaret Lyon*, Daughter to the Lord *Glames*, Chancellor of *Scotland*, by whom he had Issue *James*, who succeeded him, and a Daughter married to the Earl of *Neidsdale*.

James, the Second Marquis of *Hamilton*, had his Education in *Scotland*, but very early went Abroad; and having travel'd for a pretty long Time, he returned Home through *England*; and tho' King *James* did very much desire his Stay at Court, yet he declined it, and went Home to *Scotland*. Some Time after he was prevail'd upon to come to Court, and King *James* made him Lord Steward of the Household; and in 1619, he created him Earl of *Cambridge*, a Title that was never conferred on any, but such as were of the Royal Blood; he was also made Knight of the Garter.

King *James VI.* designing to have the Articles of Religion, commonly call'd the Five Articles of *Perth*, enacted into a Law, called a Parliament in *Scotland*; and as that Prince knew this Matter would meet with great Opposition from the Puritan Faction there, so he thought he could not employ any Body in the high Station of Commissioner, whose Interest in *Scotland* was so great, to overawe

the Proceedings of these rash Hot Heads, as this Marquis; he accordingly being named Commissioner, came to *Edinburgh*, and understanding some turbulent Ministers were endeavouring to obstruct the Ratification of these Articles, he discharged them all out of Town, and such as would not obey, he Imprisoned; in short, says a great Historian, all that Time he carried himself, and the Matters committed to his Trust, with such Wisdom and Foresight, as in a few Days he brought them all to the End which he wished, without any open Contradiction. The Subsidy desired was granted; the Acts of *Perth* Assembly ratified; and divers Constitutions made, for the Good and Profit of the Country. Towards the Conclusion of the Parliament, (he) says the same Historian, in most perswasive Words, (and with that Majesty which became the Place he represented,) required them to acquiesce and willingly to obey the Conclusions taken, and not draw upon themselves, by their Disobedience, his Majesty's Anger. And indeed, as the Firmness and Resolution he shewed in this Matter, was what carried him through, against all the Malice of the Puritan Party, so the Laws at this Time Enacted, cut the Throat of Presbytery and Faction at that Time in *Scotland*. He was in great Esteem in both Kingdoms, equally dear to the Sovereign and the Subjects; and it was certain

no Person could have disputed with him the King's Affection and Confidence, the Duke of *Buckingham* only excepted : He was of a mighty great Spirit, fitted for the greatest Affairs, and was one of the handsomest Men of his Age. He died in *England*, in *March*, 1625, his Corps was sent to *Scotland*, and interred at *Hamilton*, with his Ancestors ; his Death was universally lamented, but by none more than the King himself ; and when he heard it, he said, if the Branches are thus cut down, the Stock could not continue long ; for some Time before the Duke of *Richmond* and *Lenox* died, and this proved too true, the King dying soon after.

This Marquis married Lady *Anne Cunningham*, Daughter to the Earl of *Glemairn* ; by her he had Two Sons, *James* and *William*, both Dukes of *Hamilton*, and Three Daughters, married to the Earls of *Crawford*, *Eglington*, and *Drumlanrig*, Predecessor to the Duke of *Queensberry*.

This Marquis's Death was follow'd with an Universal Regret, many of the *English* Nobility, in their Letters to his Son, expressing their Veneration and Esteem for the Father, in Terms beyond the Cajolery or Civility of Complements. The Loss of so Great, and such a tenderly affectionate Father, meeting the sweet Disposition and dutiful Love of the Son, could not but prove very afflicting to him.

He first sent down his Father's Corps into *Scotland*, where it was nobly Interr'd in the Burial-Place of that Family, but could not follow it himself, being obliged to wait and assist at the Coronation of King *Charles I.* which shortly follow'd, where he carried the Sword of State before the King; and he found the Crown had rather heighten'd, than lessen'd the present King's Affection to him; yet this could not bind him so firmly, but that he resolv'd to return to *Scotland*, to look into his own Affairs, which were in great Disorder by his Father's Magnificent and Generous Way of Living; who notwithstanding his being Lord-Steward, and the Benefit of other Places he enjoy'd, had far out-run himself at Court: And indeed, his Son had too much of his own Temper, and was too generous to be very Frugal.

During his Absence from Court, his Majesty's Affection for him appear'd, not only in his ready granting every Thing that was mov'd for his Advantage, but in the kind Letters, which upon different Occasions he wrote to him with his own Hand, as well as the many Publick ones he received upon all Occasions, sufficiently shew'd his Majesty's sincere Esteem for him. These chiefly consisted of a very kind and earnest Invitation to Court, but the Marquis handsomely excus'd himself upon the great Incumbrances on his Fortune, which made it impossible
for

for him to live at Court, in that Rank which became his Quality; besides, he seem'd at that Time to be perfectly in Love with a retired Life: Nor can it be denied to be without Example, to see a King entreating his Subject to accept the Favours and Honours he design'd him, when he was with much humble Modesty declining those Royal Offers.

But as the King pressed his Return to Court very earnestly, so he was likewise solicited to it by a great many of the chief Rank and Quality, and by none more earnestly than the Duke of *Buckingham*, with the hearty and generous Offers of all the Friendship and Service that was in his Power: Yet he continu'd in *Scotland* till the End of the Year 1628, and all the while kept himself at a Distance from Publick Affairs, not busying himself with any Thing above his own private Concerns; which, together with his sweet and obliging Temper, took exceedingly with all People. In the End of the Year 1628, his Father-in-Law, the Earl of *Denbigh*, came down to press his Return to Court; and besides, a very obliging Letter from the King, brought with him also from his Majesty the Offer of Master of the Horse, which was vacant by the Murther of the Duke of *Buckingham*.

This noble Message could not but prevail on his Temper, considering from whom it was

was sent, and the Authority of the Bearer that brought it; therefore he no longer disputed, but at the latter End of the aforesaid Year, he came to Court, where he was presently made Master of the Horse, Gentleman of the Bedchamber, and Sworn of the Privy-Council in both Kingdoms; and the King us'd him with such Generosity and Kindness, that his Carriage to him spoke more the Affection of a Friend, than the Power of a Master. He always us'd the familiar Expression, both when he spoke to him, and of him, of calling him *James*; and it was presently observ'd, that none enjoy'd a greater Share of the King's Affection than he: But as so high Favour with the Prince, is generally attended with Emulation and Jealousie, so the Marquis fail'd not of his Share of it, though no Man ever bore the Character of a Favourite more worthily, or carried a more prudent or even Hand in executing the Power he was invested with.

The great Design which at this Time possess'd the King wholly, was the Affairs of *Germany*, where the Elector *Palatine*, his Brother-in-Law, accepting the Crown of *Bohemia*, involv'd himself and all *Germany*, in a Scene of lasting and bloody Wars; to rescue whom, the King thought himself highly oblig'd; and the Queen of *Bohemia* at this Time recommending the Care of her Affairs to the Marquis, as being her nearest Kinsman,

Kinsman, and of all others at the *English* Court the best known to her; for as during King *James's* Life, she had ever entrusted his Father, so she entail'd that Trust upon his Son; it open'd the Way for his being sent into *Germany* on these Affairs.

At this Time likewise the King of *Sweden*, partly provok'd by a Desire of Glory, and with generous Resolutions to free *Germany* from this Yoke of Tyranny, put himself at the Head of this Confederacy; much of his Confidence being grounded on the Assistance he expected from the King of *Britain*, which he earnestly solicited by his Ambassador here; and the King receiv'd as gladly, being the likely Means of restoring the Elector *Palatine* to his Dominions: He thereupon fix'd on the Marquis to enter into a Treaty with the *Swedish* King, who by Messages to that Prince, soon effected an Agreement to assist him with a Body of Troops, which indeed began to be more and more necessary, the Emperor being very powerful, and having gain'd some Advantages over the Confederates.

King *Gustavus* was now in *Germany*, and in no little Straits, depending much on the Marquis's Succours, to whom he sent frequent Expresses to hasten his Coming. Nor was the Marquis less busie in *Scotland*, hastening his Expedition. These Forces were to consist of Ten Thousand Men, to be paid by

by the King of *Britain*, and were part *Scots*, and part *English*.

But just in this Juncture, the Marquis's Enemies laid hold of so favourable a Season, to endeavour to blast his Reputation, and this by the most base and impious Means imaginable, which however, was so fram'd, as carried with it some Shew or Probability of Truth. The Contrivance was well laid, and by the Subtlest of the Marquis's Enemies, the Lord *Ochiltree*, but first broke by another Hand, and was to this Effect, *That the Marquis's Designs were not upon Germany, but Britain; and that when his Army was once fit for Action, he would discover himself, in setting forth his Pretensions to the Crown of Scotland.* But this was so ill receiv'd by Men of Judgment, that it made no Impression; and for the King, and those about him, they knew too well where those Forces were really to be employ'd, so that with other concurring Circumstances of the Marquis's Innocence, all this Noise turn'd to the Shame and Confusion of his Enemies, and indeed to his own Honour; for the King was not only entirely satisfied of the Marquis's Loyalty, but had perfectly acquainted himself with the Reasons and Design of this Affair, and therefore refus'd to listen to it, in Terms very full of Affection to the Marquis, such as discovered he was incapable of any Jealousie, either of him, or his Actions. Within a very little while the
Marquis

Marquis came to Court, utterly ignorant of this execrable Design against him, and receiv'd such a Welcome from the King, as made his Enemies sensible of their Error; neither would he listen to those, who only desired, that on his Return he might not be admitted to his Presence, at least not to lye in his Bedchamber: Instead of which the King took him apart, and unravel'd to him all the Villainous Story. The Confusion it rais'd in his Thoughts, was inexpressible; he knew his Innocence, but was amaz'd at the daring Forgery of his Enemies; but such was the Goodness and Generosity of the King, that he would scarce allow him to speak in his own Defence, as entirely believing he needed not to be vindicated; and when the Marquis offered himself to be tried, the King would not hear of it, but order'd him to lye in his Bedchamber that very Night. Ochiltree soon after was tried, and sentenc'd for his Forgery, to perpetual Imprisonment, which he underwent the space of Twenty Years; till the Marquis, with an uncommon Generosity, procur'd his Liberty.

The Marquis now pursu'd his Expedition to *Germany*, and on the 31st of *July*, 1631, arriv'd at *Elsinor* Ten Days after he had sail'd out of *Tarmouth-Road*; here he went ashore, to kiss the King of *Denmark's* Hand, and to deliver the King's Letters to him for a free Passage, in Case he took that Course;

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but

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but Two Days after he fet Sail again, and came to the Mouth of the *Oder*, between *Woolgast* and the Isle of *Usedom*, where the *Swedes* first Landed, and Two Days after began to disembark his Forces, which were, upon Muster, found to be about Six Thousand Men, and then sent the King of *Sweden* Notice of his Arrival, who welcom'd the Message with much Joy, and appointed the Marquis to go into *Silesia* for the reducing of that Country, promising him that the Army, which was to assist him, should meet him on the Way, and with this Answer, sent him a Commission to be General in *Silesia*.

The Fame of this Army run through *Germany*, and added no little Benefit to the King of *Sweden's* Affairs, not only because the Number of them was exaggerated, but that the *Scots* were at this Time held in the highest Esteem for their Native Valour. Soon after the King of *Sweden* desired the Marquis to come to him, and receive Orders from himself, who on his Arrival was caressed with the highest Expressions of Kindness, and then dispatch'd to command a separate Army on the most difficult Occasions, and to secure some important Passes, while the King of *Sweden* himself was at Liberty to give his Enemies Battle with the Gross of his Army, by which Means he gain'd that Memorable Victory at *Leipsick*, which greatly altered the Affairs of *Germany*; and
notwith-

notwithstanding the Plague had broke out in the Marquis's Army, yet he found Means to relieve *Grossen*, then besieged by the *Imperialists*, and took *Guben*, a Frontier Town in *Silesia*, and was proceeding to other Conquests in that Country, when he received Letters from the King of *Sweden*, intimating to him, That by his Agreement with the Duke of *Saxony*, that Elector had undertaken to reduce *Silesia*; Wherefore he appointed the Marquis to follow him to Lower *Saxony*.

The Marquis regrated extremely, that after he had march'd so many Days through a desert Country, and was now come to a plentiful one, where there was Hopes of good Success, he should be called back into those wasted and barren Fields: But he began now to perceive, that the King of *Sweden*, elevated with Success, was not so sincere as he could have wished; and that *Silesia* being united to the Crown of *Bohemia*, he would never trust him in any Country where the King of *Bohemia* had Interest. However the Marquis had once resolved to push forward at all Hazards; but the King of *Sweden* had ordered all the Garrisons in that Country to acknowledge him no more as General, so that the Marquis was obliged to return to *Lustrin*, where he received Orders to lay Siege to *Madgeburgh*; and tho' his Army was mightily diminished by the Plague, and otherwise, so that he had not in all above

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4500 Men, and the Garrison of the Place was 3000, yet he had carried the Place, had he had the necessary Troops promised him in Time, for Want of which, and thro' the Slowness of the *Swedes*, he was forced to suffer the Place to be relieved by *Papenheim*.

In the mean Time the King sent Sir *Henry Vane*, his Ambassador, to the King of *Sweden* to propose a Treaty, who gave the Marquis private Notice of his Arrival, and the King desired them to come to his Camp, where he seem'd to express a great Desire to finish the Agreement; and when he appointed *Gustavus Horn* to negotiate with Sir *Henry Vane*, he ordain'd him to make the Marquis Umpire of all their Differences, declaring that he would stand to his Decision. This, which was given under his Hand and Signet, was only an unusual Compliment from that Victorious King, and was so look'd on by the Marquis, who did not think fit to put it to the Trial. He pressed the King for fresh Supplies, but was sent back to his Army, loaded only with Hopes and fair Promises.

As to the Treaty, the King of *Sweden* proposed such unreasonable Conditions, as were not to be complied with, and, in particular, evaded the most material Article, which made the *British* Monarch engage in the Wars of *Germany*, viz. the Restoring the *Palatinate*; so that the Marquis clearly perceived

ceived no Good was to be reaped from this Enterprize ; however the *Swede* continued to use him with the highest Civilities, tho' Sir *Henry Vane*, the Ambassador, was but on ill Terms with him. In the mean Time the Marquis's Army was reduced to Two Regiments only, the one *English*, and the other *Scots* ; so that all this Summer he followed the King of *Sweden* in the Quality of a Volunteer only, of which he was sufficiently tired, and perfectly found that that Prince's Designs were only to weary out his Patience, that he might thereby be quickened to promote the Treaty with *England* on any Terms : But no Consideration of his own could make him betray his Master's Service, or drive on Propositions which he judged so dishonourable for him, as were those which the *Swede* insisted on, in Relation to the *Palatinate*, which it was plain he did not design to part withal till the War was ended, nor then, but on unreasonable Conditions : Whereupon the Marquis wrote to the King his Master, to desire his positive Commands what to do ; who answer'd him, that unless he were able to procure somewhat more satisfactory from the *Swede*, to get off as handsomely as he could, and return home ; which not being able to effect, he desired Leave to return to *England*, under Pretext of Levying new Forces ; and to remove any Misunderstanding that might accrue between that Prince and the King his Master. This Proposition seem'd

seem'd so fair, that it could not be refused; so that with a new Commission, for bringing over an Army, he was dismiss'd by the King of *Sweden*, and all about him, with very high Expressions of Friendship, that Prince telling him, *That in whatsoever Place of the World he were, he would ever look on him as one of his own.*

And thus ended the Marquis's Expedition into *Germany*, wherein if he miss'd of that Success, which himself and others had expected, it was not to be imputed to any Mis-carriage or Neglect of his own, neither was any Thing so much the Occasion of the Disappointments he met with in *Germany* as the firm Affection he bore his Master's Service; which, tho' it lessened the King of *Sweden's* Confidence in him, yet it could not but encrease his Esteem for him; and both *Oxenstern*, and his other Counsellors, in their Addresses to the *English* Court, after the Death of *Gustavus*, and during the Minority of their young Queen, did recommend all their Affairs to the Marquis, as to one of their own Nation; and several of the Electors and Princes of *Germany* were much taken with his Converse, having seen him in the *Swedish* Camp, and continued their Friendship with him, both by Correspondence and Presents. When he returned to Court, his Reception with the King was as affectionate as his Parting had been, and he continued about his Majesty with the highest

highest Characters of Favour, but kept himself much out of Business, meddling little with the *Scottish* Affairs, unless it were to procure a particular Kindness to his Friends, in which he was so sparing that many were dissatisfied with him for it.

Next Year, *Anno* 1633, the King went into *Scotland* to receive the Crown of that his Antient and Native Kingdom, and held a Parliament there; thither the Marquis followed him, and assisted at the Ceremony, according to his Rank and Quality. But his Expedition into *Germany* had involved him and all his Friends in vast Debts; which, however, his Lease of the Customs of the Wines was fully able to discharge, and was ratified in that Parliament: But the Earl of *Traquair*, who was the Treasurer-Deputy, suggested to the King, that these Customs were the readiest and surest Monies that the King had, and that the Treasury would signify little without them: Wherefore he moved that some other Way might be found for refunding the Expence the Marquis had been at in *Germany*. The Marquis's Friends pressed him to oppose *Traquair's* Proposition; but it pleas'd the King, and he moved it to the Marquis, who, without Hesitation or Reluctancy, rendered back his Lease, and submitted his whole Pretension to the King: But so just was his Majesty in this Affair, that he found out another Way to satisfy the
Monies

Monies, so that in a very few Years his Fortune was recovered from the Burdens it lay under.

From this Time, which was in the Year 1633, to 1638, he acted little in Publick Business; but was then appointed Commissioner to the Parliament of *Scotland*, which Office he accepted of most unwillingly, telling his Majesty, his Life, and Fortune, and All he had, he would hazard for his Service; but this Employment was full of Danger, the Success of it at least dubious, and he was very much a Stranger to *Scottish* Men and Affairs: However his Majesty's Commands were positive, and he accepted the Office. He arrived at *Edinburgh* the 9th of *June*, 1638, and was met by about 6000 Gentlemen, and others, on Horseback, and there acted a Part entirely approved by his Majesty. He went to *England* to acquaint his Majesty with the Posture of Affairs, and had his good Advice been followed at that Time, the fatal *Catastrophe* which afterwards ensued might have been in some Measure prevented: However he was again sent into *Scotland*, where finding Matters in a bad Posture, he took a second Journey to *London*, and was soon after named Commissioner to the General Assembly, which was appointed to meet at *Glasgow*, which was one of the most memorable and troublesome Sessions that ever was held in that Kingdom. This Trust the Duke managed with a great deal

deal of Integrity and Conduct ; but finding them undutiful in their Behaviour, he found it expedient for his Majesty's Honour and Service to dissolve them.

Nothing was now to be expected but a War with the Covenanters, for indeed, no Reason or mild Persuasion had any Effect on those turbulent Spirits ; and when the King was necessitated to resolve on a War with them, the Marquis was appointed General of the Army, and sail'd with it to *Leith* ; but was by express Orders kept from entering upon Action, till it could be seen what fair Means would do ; and tho' the King pressed him again to be Commissioner, yet he declined it, and for some Years acted only in a private Sphere, continuing at Court with the Character of a Privy Counsellor only, but much in his Majesty's Favour.

Soon after his Enemies began to create Jealousies of him to the King, but his Majesty, in one of his Speeches to his Parliament, declared himself highly satisfied with his Conduct, saying, *The Marquis had carried himself like a faithful Subject and Servant in all his Employments, during these Troubles, and as one that designed the Good and Happiness of his Country* : And as a farther Mark of Esteem for his Family, appointed *William*, his Brother, Secretary of State, and created him Earl of *Lanerk*.

The Troubles still remained in *Scotland*, and none laboured more earnestly the Good of his Majesty's Service than these Two Loyal Brothers. The Marquis was created Duke of *Hamilton*, Anno 1643, being then with his Brother in *Scotland*, earnestly endeavouring to prevent that Nation from agreeing with the Two Houses in *England*. But because Affairs did not succeed well in *Scotland*, his Enemies at Court laid all the Blame on him, and again trump'd up their old Story of his Pretences to the Crown of *Scotland*. The Duke understood this, but so well he knew his own Innocence, that he made all possible Haste to Court, which was then at *Oxford*. This was interpreted as a New Crime; and it was now said that both he and his Brother had betrayed the King's Cause in *Scotland*, and were coming to Court to be Intelligencers.

These Stories made some Impression on the King, and both the Brothers were for a while confined to their Chambers. The Charge against the Duke was great, but he justified himself fully; and tho' he pressed for a Tryal, yet that was denied him, and he sent Prisoner to *Pendennis-Castle*, where he continued to the End of *April*, 1646, that some of the Parliament Forces took the Castle of *St. Michael's Mount* in *Cornwal*, where he was then in Durance, by which Means he had his Freedom. He was no sooner at Liberty, but he resolved upon

a private Life; yet did not fail to use his Interest with the *Scottish* Commissioners at *London*, and his Friends in the House of Peers, to treat with the King upon easie Terms; for by this Time the King's Affairs were quite ruined; and as he was incapable of concurring with his Enemies; so both his late Usage, and the desperate Posture of Affairs, made him resolve to engage no farther, but to retreat into some retired Corner, where he might languish out the rest of his unfortunate Life; yet he could not conquer himself, so great was his Affection to the King, from studying to do him the best Services and Offices in his Power.

His Majesty seeing Things brought to a desperate Pass, resolved to throw himself into the Hands of his *Scottish* Subjects, who had made such large Professions of Duty and Affection; where the Earl of *Lanérick* was one of the first that waited on his Majesty, protesting how dear the Preservation of his Sacred Person, as well as his just Power and Greatness should ever be held; and was soon seated again in his Majesty's Just Favour and Confidence: Nor could the Duke longer withhold himself, but came to *Newcastle*, and waited on the King. When he first kissed his Majesty's Hands, the King and he blush'd at once; and as the Duke was retiring back, with a little Confusion, into the Crowd, that was in the Room, his Majesty ask'd him if he was afraid to come near him; Upon which

which he came to the King, and they entered into a large Conversation together, wherein his Majesty express'd the Sence he had of his long Sufferings, in Terms so full of Affection, that he not only broke thro' all his Resentments, but set a New Edge upon upon his Old Affection and Duty. The King told him, *He ever had judg'd him innocent, as to the Bulk of Things; tho' he confessed there were some Particulars he was not so well satisfied with: But that his Restraint was extorted from him much against his Heart, for he had stood out against all the Importunities of his Enemies till the very Morning he came to Oxford, in which most of the whole Court came about him, and said they would all desert him, if he yielded not to their Desires.*

The Duke professed, *He was fully satisfied his Majesty judged him innocent, and that his Heart was still what it had ever been to his Service; but he saw himself in no Capacity of being farther useful to his Majesty, since these Jealousies would ever be hanging over his Head, tho' his Majesty were free of them: Besides, he had no Reason to think that Cloud of Misfortunes, that did hitherto hang over all his Actions, was yet broken or dissipated; and therefore he had particular Reason to apprehend cross Events would yet follow all his Attempts; but he knew the World would be so unjust to impute them to his Resentments, and count them not casual, but designed Mis-carriages: Wherefore he desired Permission to*

go Abroad into some Corner of the World, where he might enjoy a private Retirement.

But the King's Answer to this was, That he look'd on it as a well couched Resentment, adding, *He did not expect he would leave him when he needed his Assistance most:* And this overcame his Resolution for this Time, therefore he frankly desired his Majesty would lay his Commands on him.

The first Thing the King ordered him, was to do what he could for *Montrose*, who was then under the hardest Pressures, and the Fury against him so great, that no Conditions would be listened to in his Favour. This the Duke undertook, tho' the known Enmity between him and *Montrose* might reasonably have pleaded an Excuse to this Service; but the Duke was of a Nature too generous and noble to remember Injuries to one who was then under the highest Sense of Danger and Misfortune, tho' his Majesty's Commands had not intervened: And so effectually he managed this Affair, that he brought the Matter to a Treaty, by his particular Interest in both Parties, and freed that Great Man out of a very threatening and eminent Danger; which Piece of Service was highly grateful and satisfactory to the King.

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The Duke soon after this went into *Scotland*, where he used his best Endeavours to bring over the *Scots* to the Interest of their Prince; but seeing Matters run Counter to his Designs, he resolv'd once more to retire from all Affairs. *Lanerick* was so concerned at this Design, that he spared nothing that either his Affection or Wit could suggest to divert him from that desperate Resolution; but the Duke was immoveable, and begg'd his Majesties Permission to retire: But the King resisted that Request with so much Reason and Affection, that in the whole course of his Favours to him, there had not been any since the Business of *Ochiltree*, wherein he had more obliged him, than the Tenderness that then appeared to him; yet the Duke was so importunate, that at Length the King seemed to give Way to it, at least the Duke understood it so; whereupon he took Leave of the King, which he apprehended to be his last Farewell, and it proved to be so indeed, (unless a Transient View he had of him after he had at *Windsor*,) so he left the King, and carried Home with him a Heart so full and heavy with Melancholy, that all that was done could not rouse him out of it; and neither the Tears of his dying Mother, the Intreaties of his Friends, nor the constant Persecution of his Brother, were able to divert him from his Resolution; for having overcome the King's Dislike of it, which was stronger than all
other

other Things with him, he was Proof against all other Motives : But his Majesty quickly repented him of that tacit Consent he seemed to have given, and therefore sent after him a very kind Letter, to let him know as much ; and this back'd by another from Sir Robert Murray, setting forth how great an Inconveniency his Retiring would be to his Majesties Affairs, which was so pressing and Melancholy, and that it quite vanquished the Dyke's Resolution, which he soon expressed in a Dutiful, but Melancholy Letter to the King ; and at his coming to Scotland, procured new Instructions to be sent to their Commissioners at London, to press a Personal Treaty, and that the King might be with Safety and Honour in England ; but all that could be done, was not sufficient to prevent the Scots Parliament from delivering up the King to the English Parliament : At which Proposition, the Duke, and his Brother, expressed their Horror, with Language so full of Reason and Affection, that nothing but violent and enraged Passion could have resisted it. The Duke was all Melancholy and Dispair, and Lanerick as full of Fury and Rage. They said, ' Would Scotland now quit a Possession
' of One Thousand Five Hundred Years
' Date, which was their Interest in their
' Sovereign, and do it to those, whose En-
' mity both against him and them, did now
' visibly appear? Was this the Effect of all
' their

' their Protestations, Duty and Affection
 ' to his Majesty? Was this their keeping of
 ' their Covenant, wherein they had Sworn
 ' to defend the King's Majesties Person and
 ' Authority? Was this a suitable Return to
 ' the King's Goodness, both in his consent-
 ' ing to all the Desires of that Kingdom, in
 ' the Year 1641, and in his late trusting his
 ' Person to them? What Censures would
 ' be past upon this through the whole
 ' World? What a Stain would it be to the
 ' whole Reformed Religion? And in fine,
 ' what Danger might be apprehended both to
 ' the King's Person, and *Scotland*, from the
 ' Party that was now prevalent in *England*.

But notwithstanding all this, the Que-
 stion was put, *Whether they should leave his
 Majesty in England, to the Two Houses there,
 or not?* So softly did the prevailing Party
 present that Infamous Business to the Vote
 of Parliament. The Duke's Vote was sui-
 table to his Discourse and Temper, being a
 Negative, uttered with much grave and deep
 Sorrow; but the Earl of *Lanerick* was not
 so soft, but with a Vehemence of Spirit be-
 coming the Occasion, express'd himself thus,
*As God shall have Mercy on my Soul at the
 Great Day, I would rather chuse to have my
 Head struck off at the Market-Cross of Edin-
 burgh, than give my Consent to this Vote.*
 And when nothing was able to Ballance the
 Vote, the said Earl, with a deep Groan,
 said, *This was the blackest Saturday that*
ever

Duke of HAMILTON. 41

ever Scotland saw, alluding to a great Eclypse that was many Years before on a Saturday, from which it was still call'd the *Black-Saturday*.

Now it was, that genuine Melancholy and Horror dwelt in all the Duke's Thoughts, his Brother was too deeply prepossessed with the like Apprehensions, to Minister much Comfort to him, only he pressed him not to give too much Way to Grief, but to see what could be done for setting Things to right again; and for infusing that Sense of Shame and Horror into all People for the late Action, which might prepare them to a Noble Reparation of it, by a generous ingaging in the King's Quarrel. The Duke, and the Earls of *Lauderdale* and *Lanerick*, were they who united most closely and cordially, for bringing about this Design. The King was a strict Prisoner at *Holmby*, and Time pressed hard for something to be done, but it met with great Opposition from another Party; for as my Lord *Lanart* then expressed it, *Argyle, and the Ministers are stillincapable of Satisfaction, and with horrid Violence oppose all Loyal Motions*. However, the Duke and his Friends broke through all Opposition, and carried the Resolution of putting the Country in Defence; and an Ingagement was entered into for Defence of the King.

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Those

Those who united for engaging in the King's Quarrel, design'd that *David Lesley*, after Lord *Newark*, should command the Army to be raised ; and he at first undertook the Service very cordially ; but some of the Churchmen fell on him very furiously, and prevailed so far, that being of an easie Nature, he struck off, and refused the Service ; whereupon finding it necessary that a Person of Eminence and Integrity should have that Charge, they resolved on making the Duke General, which he opposed to a high Degree ; saying, he was resolved to hazard his Life with the first, yet he would decline all Command, knowing with what Calumnies he had been aspersed, and what Jealousies many had still of him, as if his Designs were for himself in the King's Prejudice : But there was none so fit to chuse for the Trust, wherefore it was agreed by them all, that the Charge must be laid on him, to which, when he saw no Remedy, he submitted with great Aversion, and nothing but that it was to serve the King, could have prevailed over his Resolution.

It shall suffice to say, that with this Army the Duke marched into *England*, though partly against his own Opinion, where he shew'd all the Conduct of a good General, and the Courage and Faithfulness of a good Subject, but was unhappily defeated at *Preston*, in *Lancashire*, and with many of his Officers and Soldiers made Prisoner at
Uttoxatter,

Uttoxatter, in *Staffordshire*, yet upon Articles that warranted the Safety of their Persons.

The Duke was carried to *Derby*, and thence to *Asbby de la Zouch*, where he continued Prisoner till he was conveyed to *Windsor*. Here he was kept under strict Guards, and a close Restraint, not being permitted to go without the Castle, and but seldom to walk in the Court ; for the Second Night after he came thither, when he was taking a Turn in the Court after Supper, he had not walked half an Hour, but a Serjeant came to him, and commanded him to his Chamber, though many Soldiers were looking on : He immediately went to his Apartment, and said to the Lord *Bargany*, who was Prisoner with him, that the Serjeant's Carriage was a notable Instance of Man's Condition in this Life ; since he who but a few Days before had commanded so many Thousand Men, was now himself commanded by a common Serjeant.

Soon after his Imprisonment, the Parliament sent Two of their Number, and *Hugh Peters* waiting on them, to examine him, in order to the discovering those in *England*, who had Confederated with him in this Engagement : But the Examination held not long, for they could draw nothing from him, though they spared neither Promises nor Threatnings, to make him think

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of redeeming either Life or Liberty at so base a Rate, his Honour and Conscience being much dearer to him. He told them, he could not say he knew any Thing worth their Pains, but if he did, nothing, no not Fortune it self should ever extort it from him. The Parliament had upon the Matter condemn'd him to perpetual Imprisonment, by setting One Hundred Thousand Pound Sterling for his Ransom, which Sum could not possibly be raised by him, the Debts he had contracted for the King's Service, having vastly sunk his Fortune. *Cromwell* came several times to him in Person, to endeavour to draw from him some Discovery of his Correspondents in *England*, and gave him great Assurances of Life, Rewards, and Secrecy; but he rejected the Proposition with Indignity, though often repeated; and apprehending they might get his Brother into their Power, he sent him the following Note, written with the Juice of a Lemon, but he was before escap'd into *Holland*.

I, under the Power of the Sword, and Merciless Men, no Favour to be expected, oft examined, but nothing discovered, being Ignorant; perhaps you may abide the same Trial, beware if you do.

Notwithstanding his strict Restraint at *Windsor*, which was the more so, in that he had with Disdain refused all their scandalous Offers of Mercy; yet as the King was carried through

through *Windsor*, he prevailed so far with his Keepers, as to permit him to have a Sight of his Majesty; and as he passed, he kneeled down, and with a Transport of humble Sorrow kissed his Hand, and had only time to say, *My dear Master*: The King embraced him very kindly, and said, *I have been so indeed to you*: But they were soon parted and suffer'd to have no more Discourse.

The Thirtieth of *January* was that fatal and never-to-be-forgotten Day, whereon His most Sacred Majesty, after the Pageantry of a Trial, to add to the Appearance of Justice to so base and horrid a Murder, was Beheaded to the Amazement of all *Europe*: The sad News of which sunk the Dukes Thoughts into a deep Sorrow, which he carried with him to his Grave: He well saw his own Danger, knowing that those who had broken all the Bond of Loyalty and Duty, were not to be tied by the Faith of Capitulation, or the solemn Engagement of Articles, though granted in the Safest and Securest manner, where either Honour, Faith, or Conscience were concerned: He therefore designed an escape from *Windsor* that Night, which was contrived by a faithful Servant of his, Mr. *Cole*, afterward one of the Equerries to King *Charles II.* who during his Imprisonment had Liberty to go and return from *London*, which he did very frequently, bringing him an Account of what passed: And the Duke having gained his Keeper, ordered Mr. *Cole*,

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Cole to fend a trusty Servant with two Horses for *Windsor*, which accordingly he did ; advising the Duke not to come to the City till seven a Clock in the Morning, and then Mr. *Cole* was to come to *London*, and bring him to some secure House in the City : The Duke at Night about shutting the Gates made his escape from *Windsor*, without any suspicion, and came to the Place appointed, where his Servants and Horses waited for him. But he fatally went from his Resolutions concerted with Mr. *Cole*, and would needs go in the Night to *Southwork*, thinking to have got to Mr. *Owens* House, who was acquainted with the Business, not considering what had been told him, that Guards were placed about the City all Night, so that there was no coming to it but in the Day : And all Things concurring to hasten him to his Grave, there happened to be that Night a Party of Horse in *Southwark* searching for Sir *Lewis Dyves*, and another Person who had escaped the Night before.

Some of them meeting the Duke about Four in the Morning, where he had long Knocked at the Door, took him and examined him : He told them a very formal Story, of himself and his Business, which at first satisfied them, but they observed, that as he took a Pipe of Tobacco, by them, he burnt several great Papers to fire it, whereupon they searched him, and found such Papers about him as discovered him. It was not before

fore the next Morning that he was missed at *Windsor* for that Night he made his escape, there came an Order from *Cromwell* to make him close Prisoner, and put all his Servants from him. The Governor therefore gave the Captain of the Guard Order about it, but he hearing the Duke was gone to Bed, delayed it till next Morning, and then found he was gone. It being discovered that *Mr. Cole* had ordered the Dukes escape, many advised him to go out of the Way, but he resolved to dye, rather than leave his Master at such a time, and made shift to come at him the same Evening. When the Duke saw him, he lifted up his Hands and said, *It was Gods Will it should be thus.* That Night *Mr. Cole* was also taken, and *Sir Hardress Waller* examined him, but drew nothing from him, whereupon he was made a close Prisoner; yet when the Duke was brought to his Trial, he procured him his Liberty, for the Averment of some particulars of his Plea.

The Duke was immediately committed Prisoner at *St. James's*, in the same Room where the *Earl of Norwich*, the *Lord Capel*, and *Sir John Owen* were Prisoners, and then all saw in what Danger his Life was: Whereupon great Endeavours were used, and strong Application made in *Scotland* to the *Marquis of Argyle*, who had then the chief Power there, that the Committee of Estates would so far forward his Preservation, as to own that what he did was by the Authority of

Of that Kingdom, that so, whatever Punishment they would lay on him, his Life might not be in Danger. And it had been faithfully promised by all the Leaders of that Party, at the Pacification of Sterlin, either to save his Life, or make his Death a National Quarrel. But the Marquis of *Argyle* refused to interpose, and though the Dukes Daughter, the Dutches Dowager of *Hamilton*, left no means unessayed to prevail on him, yet all was in vain; for he pretended that since those in *England* had Murdered their King, notwithstanding their Commissioners protesting against it, it was not to be expected that their Interposition in other Things could be of any Weight; nor was it fit they should any more address to the Murderers of their Sovereign; so that all hopes of any Mediation that way failed; and not only so, but *Lambert* being prevailed on by the offer of a good Sum to claim the Duke as his Prisoner, some Letters came from *Scotland* about it, upon which *Lambert* was advised not to insist on the Demand.

Thus all Things contributed to the Fall of this Great Man; meerly Sacrificed for the great Duty, Faith and Honour, he owed to his Sovereign; whose Royal Blood not having satisfied the Cruelty of the New Usurpers, their next design was against all those who had served him with the greatest Loyalty; yet they chose to varnish over their merciless and perfidious Cruelty with some Colours and

Appearances of Justice, and therefore ordained the Pretended Court of Justice to proceed against him, on the 6th of *February* ensuing his Majesties Murder, he was brought to his Trial, and honoured to be the first of those who followed their Royal Master, in that Glorious Martyrdom.

Of the injustice of his Trial, and manner of suffering Death, much has been said in our Publick Histories; but there is one Piece not so frequently to be met with, which I shall therefore insert here. It is the Speech he delivered the Night before he died, before many Witnesses, and was after Printed by his Brother, from the Original Copy, and contains many Things very Curious, and proper to have Place in these brief Memoirs.

‘ I know you that are here to be true and
‘ and faithful to me, I will therefore
‘ in your hearing say somewhat in order to
‘ my self, and to my present Condition,
‘ and give you also this Copy of it, which
‘ after I am gone may be thought necessary
‘ to be published, as the last Testimony of
‘ my Loyalty to my King, for whom I now
‘ die, and of my Affection to my Country,
‘ for the pursuance of whose Pious and Loy-
‘ al Commands I am now to suffer.

‘ That my Religion hath always been and
‘ still is Orthodox, I am confident no Man
‘ doubts; I shall not therefore need to say
‘ much to that particular, only that I am of

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‘ the true Reformed Protestant Religion, as
‘ it is professed in the Church of *Scotland*.

‘ I take God to Witness, that I have been
‘ constantly a Loyal and faithful Subject and
‘ servant to his late Majesty, (in spite of
‘ all Malice and Calumny :) I have had the
‘ Honour, since my Child-hood to attend
‘ and be near him, till now of late: And
‘ during all that Time I observed in him as
‘ eminent Virtues, and as little Vice, as in
‘ any Man I ever knew; and I dare say he
‘ never harboured thought of countenancing
‘ Popery in any of his Dominions, otherwise
‘ than was allowed by the Laws of *England*,
‘ and that among all his Subjects there could
‘ not be found a better Protestant than him-
‘ self; and surely also he was free from ha-
‘ ving any intent to exercise any Tyranny or
‘ Absolute Power over his Subjects: and
‘ that he hath been so unfortunate, I rather
‘ impute the Cause of it to the Sins of
‘ his People than to his own.

‘ For my own part, I do protest never to
‘ have swerved from that true Allegiance
‘ which was due to him, and that hath con-
‘ stantly been payed (to my Comfort I speak
‘ it) to his Progenitors by my Ancestors,
‘ for many Ages, without Spot or Disho-
‘ nour, and I hope shall be still by my Suc-
‘ cessors to his Posterity.

‘ I do heartily wish well to and pray for
‘ his Royal Issue, and shall die a true and
‘ Loyal Subject to his eldest Son *Charles II.*
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‘ the unquestionable King by right, of all his
‘ Father’s Kingdoms. I hope (though I do
‘ not live to see it) that God’s Justice and
‘ Goodness will in his own time establish
‘ him on the Throne of his Father, which
‘ I doubt not some of you will see come to
‘ pass; I am confident, till then, and so
‘ long as Men deeply plunged in Guilt and
‘ Self-Interest, usurp Power and Govern-
‘ ment, these Kingdoms will fall short either
‘ of Peace, or any other permanent Happi-
‘ ness.

‘ I speak this from my just Affection to
‘ the Royal Race, and much Compassion to
‘ his Majesties Subjects; but not from any
‘ Malice, Anger, or desire of Revenge a-
‘ gainst any, for what I have, or am to suf-
‘ fer; for I forgive all Men.

‘ It is well known what Calumnies and
‘ Aspersions have been thrown upon me, by
‘ Men of several Parties and Interests, not
‘ excepting those who would seem to carry
‘ much Affection to his late Majesty, as if I
‘ had expressed Disservice or Disloyalty unto
‘ him; the which how Malicious and Groun-
‘ dless they were, I appeal to God, who with
‘ my own Conscience clearly beareth Wit-
‘ ness of my Innocency therein; and I shall
‘ beg Mercy from him, to whom I am now
‘ to give an Account of all Thoughts and
‘ Actions, as I have still had a faithful and
‘ Loyal Heart to my Master.

‘ It

‘ It hath been a General Complaint, that
 ‘ I perswaded His Majesty to pass the Act of
 ‘ continuing this Parliament. I dispute not,
 ‘ whether the doing of it at that time might
 ‘ have been reputed good or bad, but surely
 ‘ it was not I that did perswade it.

‘ Neither did I at all deal with his Maje-
 ‘ sty for his Consent to the Bill of Attainder
 ‘ for taking away the Life of the Earl of
 ‘ *Strafford*, whose great Parts and Affection,
 ‘ it is known I highly valued : Yet some have
 ‘ been pleased to attribute to me the Cause
 ‘ of that Concession ; but were his Majesty
 ‘ now living, I am confident he would pub-
 ‘ lickly clear me in both these, as he hath
 ‘ been pleased many times in private former-
 ‘ ly to do.

‘ And truly I am not conscious to my self
 ‘ (though I have been for many Years a Pri-
 ‘ vy-Councillor to him) of ever giving him
 ‘ any Advice that tended to other Ends (as
 ‘ I conceived) than the Good and Peace of
 ‘ his Majesty and his Dominions.

‘ It hath been rumoured since my last Im-
 ‘ prisonment, that I should confess my self to
 ‘ be the greatest Instrument under his Ma-
 ‘ jesty (by making use of his *Scotish* Great
 ‘ Seal) for authorizing the War in *Ireland* :
 ‘ A Report so false and simple, as in my O-
 ‘ pinion Judicious and Honest Men will not
 ‘ believe it. And truly as I am free from
 ‘ having Hand therein in any manner of
 ‘ Way, so I am of nothing more confident,
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‘ than that his Majesty was also absolutely
 ‘ free thereof, and that he was not in any
 ‘ Case a Caufer or Countenancer of those
 ‘ *Irish* Troubles.

‘ I have been often examined touching
 ‘ Persons of several Qualities within this
 ‘ Kingdom, that (as is supposed) did invite
 ‘ into *England* the late Army from *Scotland*,
 ‘ or promised Assistance after their coming;
 ‘ and of late much Persuasion hath been u-
 ‘ sed with me to that purpose, as that upon
 ‘ my Discovery thereof depended the only
 ‘ means of my Preservation. I will not say
 ‘ that I had any thing to reveal which would
 ‘ have been satisfactory, but this I desire you
 ‘ to attest to the World, that I have not ac-
 ‘ cused or said any thing that may reflect on
 ‘ any Man, of what degree soever, within
 ‘ the King’s Dominions: And indeed it was
 ‘ so contrary to my Conscience, and so dero-
 ‘ gatory to my Honour, that if I had been a-
 ‘ ble, yet should I never have prejudiced a-
 ‘ ny in that Nature, though it had been to
 ‘ save me a hundred Lives.

‘ Touching that foul and senceless Slander,
 ‘ that I betrayed the Army under my Con-
 ‘ duct, the Care and Pains that I took to
 ‘ prevent the Loss of it, and the near Ap-
 ‘ proach of my suffering for it, will, I sup-
 ‘ pose, abundantly contradict this Asper-
 ‘ sion. I was satisfied with the Justness and
 ‘ Necessity of that Engagement, upon the
 ‘ Grounds of the Declaration of the Parlia-
 ‘ ment

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‘ment of *Scotland*, fearing then the sad Con-
 ‘fusions which have since followed here,
 ‘both in Church and State; and particular-
 ‘ly the fatal Fall of my Master, to the Pre-
 ‘servation of whose Person I was by Obliga-
 ‘tion, and Natural Affections as passionately
 ‘tied, as I could be by Duty and Allegiance.

‘And now I confess, I am void of all Ran-
 ‘cour or Displeasure against any, though I
 ‘am within few Hours to die, adjudged by
 ‘a lawless and arbitrary Court, of pur-
 ‘pose Erected (as is said) to destroy my Ma-
 ‘ster and some of his Servants, and for a
 ‘great part composed of Men mechanick,
 ‘and unfit to be Judges, my Death being
 ‘decreed (right or wrong) as is reported,
 ‘before ever the Trial began. And though
 ‘my Death is no less than Murder, yet I for-
 ‘give all, and pray to God to do it, and
 ‘that my Blood be not laid to their Charge,
 ‘or to some powerful and eminent Mens,
 ‘who, as is thought, upon some sinistrous
 ‘Ends have many Months since contrived my
 ‘Destruction, which now is ready to take
 ‘Effect.

‘And though I have answered to that
 ‘Court, in regard to the Justness of my De-
 ‘fence, which I thought would have weigh-
 ‘ed with them; yet I never thought, nor
 ‘do I acknowledge any Jurisdiction or Law-
 ‘ful Authority in the same, notwithstanding
 ‘ing I do all with Christian Humility sub-
 ‘mit

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‘ mit to the Punishment, which for my o-
‘ ther Personal Sins the Lord hath justly
‘ brought upon me.

‘ I should have spoken more, yet would
‘ not have said so much, but for fear lest
‘ either my Memory might slip it on the
‘ Scaffold, or that the Rudeness of some Peo-
‘ ple, by Noise or otherwise, might have in-
‘ terrupted me speaking on this Subject. So
‘ I thank God I am well prepared. God
‘ bless you, remember me to all my Friends.

‘ I know I have been a very great Sinner,
‘ yet through Faith I have an Assurance, that
‘ God will forgive me, and have Mercy up-
‘ on me, through the alone Suffering and
‘ Intercession of Jesus Christ my Saviour.
‘ Amen.

It would be Endless to express how much the Death of this Great Man was Lamented by all that knew him, and the Reader will very easily imagine it when he consults his Character, together with the Historical part of his Life already recounted.

Thus lived and died *James*, Duke of *Hamilton*, who was born at *Hamilton* the 19th of *June* 1606. His Parents were, as I have said, *James*, Marquis of *Hamilton*, and the Lady *Anne Cunningham*, Daughter to the Earl of *Glencairne*. He was of a middle Stature, his Body well shaped, and his Limbs proportioned, and straight; in his last Years he inclined to Fatness; his Complecti-
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on and Hair were Black, but his Countenance was Pleasant, and full of Life, and shewed a great Sweetness of Disposition : His Health was regular, suitable to his Diet, and free of sickness or Pain, only in his last Years he was a little subject to the Stone : But when his Body was opened, all his Inwards were found sound and entire, so that had not that fatal stroke brought his Days to an unhappy Period, he might probably have been very long lived.

At the Time of his Father's coming to Court, the Duke of *Buckingham* (being then in great Favour with King *James*, and desiring to strengthen his Family with noble Alliances) agreed on a Marriage betwixt him and the Lady *Mary Feilding*, Daughter to *William* Earl of *Denbigh*, and the Lady *Susanna Villiers*, Sister to the Duke of *Buckingham*, upon which his Father sent for him to Court, to be married when he was fourteen Years of Age ; and the Lady designed for him but seven. This broke off the Course of his Studies in which he had been educated till then in *Scotland* : And though he was sent afterwards to the University of *Oxford*, yet the interruption, his stay at Court put to his Education in Letters, was such that he never recovered it. When the Years of Consumating the intended Marriage were come, he was forced to it, not without some Aversion, occasioned partly by the disproportion of their Ages, and partly by some other secret Considerations.

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He lived with his Lady for some Years in no good Terms, and that concurring with other Motives, made him leave the Court upon his Father's Death : But her excellent Qualities did afterwards overcome that Aversion into as much Affection as he was capable of ; and it was no wonder, for she was a Lady of great and singular worth, and her Person was noble and graceful like the handsome Race of the *Villiers's*. But to such as knew her well, the Virtues of her Mind were far more respondent. She was educated from a Child in the Court, and esteemed and honoured by all in it, and by none more than the late King, who as he was one of the Chastest Men (not to say Princes) so he was a perfect honourer of all Vertuous Ladies. She was Lady of the Queen's Bed-Chamber, and admitted by her Majesty into an entire Confidence and Friendship ; and not only was her Honour unstained, but even her Fame continued untouched with Calumny, she being so strict to the severest Rules, as never to admit of those Follies which pass in that Style for Gallantry. She was a most affectionate and dutiful Wife, and used to say, *she had the greatest reason to bless God, for having given her such a Husband, whom she loved perfectly, so she was not ashamed to obey.* But that which crowned all her other Perfections was the deep sense she had of Religion : She lived and died in the Communion of the

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Church

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Church of *England*, and was a very devout Person.

She died the tenth of *May*, in the Year 1638, and left her Lord a most afflicted Person : and though his Spirit was too great to sink under any Burden, yet all his Life after he remembred her with much tender Affection. She died indeed in a good time for her own Repose, when her Lord was beginning to ingage in the Affairs of *Scotland*, which proved so fatal both to his Quiet and Life.

But the Distractions of the following Years concurring with the Affectionate Remembrance of his Lady, which rather increased than abated with time, kept him from the thoughts of re-engaging in a married Life. Neither did the death of his Sons shake him from that purpose, since he had so noble a Successor secured for his Family in the Person of his Brother ; and next to him he had two Daughters who were dear to him, far beyond the ordinary rate of Children, on whom he got his Dignity and Fortune entailed, in Case his Brother died without Sons.

His Religion was Protestant and Reformed ; and as he was a Zealous Enemy to Popery, so he was no less earnest for a good Correspondence among all the Reformed Churches, in particular betwixt the *Lutherans* and *Calve-nists*, and therefore was a great Patron and Promoter of the Designs of Mr. *Dury*, who bestowed so much of his Travel, and so ma-
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ny of his Years in driving on that desired Union: For I find by many of *Dury's* Letters to him, that as he owed a great part of his Subsistence to the Money and Places were procured for him by the Duke, both from the King and my Lord of *Canterbury*, so his best Addresses to the *Swedish* Court and the Princes of *Germany*, were those he had from him; and therefore he continued giving him an Account of his Success, as to his Patron and Benefactor.

As for our unhappy Differences which have divided this Island, he judged neither the one nor the other worth the Blood was shed in the Quarrel; and the excess he had seen on both Hands cured him from being a Zealot for either. He was dissatisfied with the Courses some of the Bishops had followed before the Troubles began, and could not but impute their first Rise to the Provocations had been given by them: But he was no less offended with the violent Spirits of most of the Covenanters and particularly with their opposition to the Royal Authority. As long as the King employed him for the preservation of Episcopacy, he served him faithfully; and though afterwards he pressed him much for his consent to the Abolition of that Government in *Scotland*, it was not from any Prejudice himself had at it, but flowed only from the Affection he had to his Majesty, since he saw it could not have been preserved at that time without very visible hazard both

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to King and Country : And so he took the National Covenant at the King's Command, *Anno 1641*, in the Parliament of *Scotland*.

He was all his Life a great honourer of true Piety where-ever he saw it, notwithstanding any mistakes that might have been mingled with it ; so that whatsoever particular ground of Resentments he had at any who (he judged) feared God, the consideration of that did overcome and stifle it : But his first Imprisonment in the Year 1643 was the happiest time of his Life, for there he had a truer Prospect of all things set before him, which wrought a change on him discernible by those who knew him best. This made him frequently acknowledge God's great goodness to him in that Restraint : For then he learned to despise the foolish Pleasures of Sin, and the debasing Vanities of a false World, which had formerly possessed too great a Room in his Thoughts. It is true he chose to be Religious in Secret, and therefore gave no other vent to it in his Discourse than what he judged himself obliged to, which was chiefly to his Children, to whom he always recommended the Fear and Love of God, as that wherein himself had found his only Joy and Repose. The following Words are a part of one of his Letters to them, which he wrote before his last going to *England*.

*I*N all Crosses, even of the highest Nature, there is no other Remedy but Patience, and with alacrity to submit to the Good-will and Pleasure of our Glorious Creator, and be contented therewith; which I advise you to learn in your tender Age, having enjoyed that Blessing my self, and found great Comfort in it, while involved in the middle of infinite Dangers.

He was a constant Reader of the Scriptures, and during his Imprisonment they were his only Companions, other Books being for a great while denied him; and he making a vertue of that necessity became a diligent and serious Reader of those Holy Oracles, and studied to take the Measures of his Actions from them, and not from the foolish Dreams, and Conjectures of *Astrology*, though the enquiring after, and taking notice of these, be among the injurious Imputations Obloquely fastened upon him. But so far was he from any regard to them, that an *Astrologer* coming to him in *Germany* with a Paper, wherein he said he should read a noble Fortune, which, after he had sent him away, threw into the Fire, without once opening it: And indeed he was so far from flattering himself with the hopes of great Success in any of his Undertakings, that he rather apprehended himself under some inauspicious Star, that crossed all his Attempts, which made him in his latter Years long for some secret Retirement out of the

the noise of Business. And in his last Expedition into *England*, he was so far from promising himself great matters, that the Night before he marched, when he was taking his leave of one of his Friends, he said, he not only knew that such Attempts were doubtful, but apprehended that what he was then engaging in, might prove not only dangerous, but destructive to himself; nevertheless, he was resolved either to go through with it successfully, or to perish in the Attempt, and never survive it; adding, that the last was what he looked for, and therefore he took his leave, as never to meet again.

But notwithstanding all the Misfortunes that either lay upon him, or did hang over him, he preserved the greatest calmness in his Mind that could be imagined, which appeared in an unclouded serenity that dwelt always on his looks, and discovered him ever well pleased. And though the greatness of his Mind, and the sweetness of his Natural Temper might have contributed much to that Tranquillity; yet certainly it took its rise from another Source, and flowed chiefly from his Confidence in God, and the Security he had in the Innocency of his own Heart.

His Accomplishments were great, though cultivated only by his own Thoughts, and improved by Experience; for he was no great Scholar, neither was he bred abroad: His Judgment was profound, his Foresight great, his Style was smooth and without Affectation,
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for he spoke with a native Eloquence. One advantage he had beyond all he engaged with in debating, that he was never fretted nor exasperated, and spake at the same rate without clamouring or eagerness. He had seen so much of the baseness of many Men, that it inclined him in the end to Jelousie : Which made him reserved with most People:

For his Affection and Duty to his Prince it hath appeared so much in his History, that little remains to be said in his Character. It is true some were pleased to say that he treated with Forreign Princes, for seconding him in his own pretensions to the Crown of *Scotland* ; but this Forgery was so ill-grounded that he had signal Proofs to the contrary. When he first engaged in the *German* Design one wrote to him from the *Spanish* Court in in the Name of the Ministers of that Monarch, making him great Promises if he would desist from it : but his Answer was, that Duty, Gratitude, and Inclination concurred to tie him inseparably to his Master's Interests, and that no consideration either of Hope and Fear was able to shake him from his Fidelity to them. Neither did any thing obstruct his being more imployed and trusted in *Germany*, than his constant adhering to the King's Pleasure and Interest ; for had he given himself up to the will of the *Swedish* King, he would have been quickly put in another Capacity, and might have had about him one of the best

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best Armies in *Germany*; since all the *Scottish* Officers, who at that time were many and considerable, inclined to have formed an Army apart, and served under him, had the King of *Sweden* given way to it.

When he was claiming his Estate and Rights of *Chastleherault* in *France*, Cardinal *Richelieu* appointed Sir *James Hamilton*, whom he had sent over to negotiate that Affair, to tell him he should be not only settled in that, but have more likewise, if he would enter into a close Correspondence with him, and be a faithful Servant to the *French* Crown. His answer was, that he owed indeed the greatest Duty and Dependance to the King of *France*, of any Prince next his own King; and therefore would faithfully serve all his Interests after the King's. But nothing was to be expected from him that might upon any Consideration prejudice his Masters Service, neither would he engage in any Correspondence without his Knowledge and Allowance: adding that he was confident his Eminence was too faithful a Minister to that Monarch whom he served, to like him the worse for his Honesty to his own Master. These Instances will evince how far he was from pretending to any Interests in his Correspondence with foreign Princes different from the King's, whom he served with as much Affection as Duty. And indeed the Love he bore to his Person was no less than the Duty he payed to his

his Authority, for he did not deny but the former made him digest some things, which perhaps otherwise he had not born so well. This kept him far from villifying his Majesty's Person, or speaking unhandfomly of him, as some accused him. It may be supposed that had he been Guilty of that, it would have appeared more to his Friends than Strangers, since Prudence would have taught a reserve to them, though Duty had not enjoined it: But those who conversed most with him, saw so much of his Affection and Esteem for that Prince, that many of them have told the Writer he was the furthest from it that could be, since he studied by all means to infuse that value in others for him, which possessed his own Mind. It is true his Calmness made many who knew not how natural that Temper was to him, suspect he was not in earnest, because he did not bluster out in heats of Passion upon every occasion; for as he was not easily inflamed, so he could not well personate a Passion when he was free of it. All his Advices to the King were for settling matters without hazarding on a bloody Decision, knowing well, that no Quarrels are so mortal, as those that follow upon the closest Ties; therefore he was far from acting that infamous Office of Incendiary, which some fastened on him. And it was his suggesting and pressing gentler Methods, which engaged some fiery Spirits into such opposition to him: And from hence it was, that when he was

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put to a Review of those advices he offered to his Majesty, he said, *He would not study to justify them all, since he was far from the vanity of magnifying his own Counsels ; but all he could answer for, was his good Intention, which was not to be measured by Success.*

As for his disclosing the King's Designs to his Enemies, Hell could have devised nothing further from Truth : For not only does the silence of all his Letters to him refute that, but when afterwards some who had been leading Men in the Covenant broke with him, with such Animosity, and when by some of those much Pains was taken, to possess the King with Jelousies of him, it is not to be doubted but if there had been a shadow of Truth for those Imputations, some particular would have appeared, or some Letters had been preserved to have justified these Insinuations. But nothing was so much as ever pretended for this, beyond Whispers and general Stories.

If all his Friends were not at all times so fixed to their Duty as they ought to have been, that left no Blame upon him ; for no Man can be lyable for his Friends, nor charged with the faults of other Men : But when any of them strayed from their Duty, his Friendship made him not the less but the more severe to them ; and many of them being yet alive, have witnessed with what honest Zeal he always studied to engage them to a Cordial adherence to the King's Service. But to sum

up

up all, those who after they see how in his last Speech delivered at his Death, he begs *Pardon and Mercy from God, as he hath been a faithful Servant to his Master*, and do still retain their Jealousies, are beyond the cure of any Persuasion ; for none but a desperate Atheist could have adventured so far with a defiled Conscience. Neither can it be alledged here, that all in those times pretended to be for the King ; for perhaps many thought the Methods they took were the best, for securing and settling his Throne. But had the Duke been faulty as the World accused him, it must not have been a Mistake in his Thoughts, but a Crookedness of his Heart, a betraying of his Trust, and a falsifying of his Engagements: And who can suppose, that the Parties who were prevalent both in *England* and *Scotland* at the time of his his Death, and pursued him and his Memory with all the excesses of Malice, would not have discovered such Treachery to load him with the greater Infamy, if there had been any Grounds for it, since they were the Persons who must have known it best ?

As for that ridiculous and Devilish Forgery of his pretending to the Crown of *Scotland*, never any were alledged to have heard a hint of it from himself, no not in railery ; and certainly if so great a Design had ever been discovered to any Person, it must have been to his Friends, and he must have taken Pains to have made some Party sure for it : But for

this nothing was ever whispered but Surmises, and those hanged so ill together, that they retained not so much as the shadow of Probability.

For his Country, as he had as great Interest in it as any Subject, so his Affection yielded to none. And it is certain, that if his Counsels to the King seem at any time to fall short of the higher ways of Authority, nothing but his Affection for his Country gave him the Byass; for he confessed, *The thing in the World at which he had the greatest horror, was the engaging in a Civil War with his Country-Men.*

He was far from any Designs of engrossing either Power or Places of advantage to himself, or his Friends; nor was he ever the occasion of any Burden to the Country, for the Assignments he had on some Taxations, were only for Payment of the Debts he had contracted by his Majesty's Command for his Expedition to *Germany*. And so little fond was he of being the King's Commissioner in *Scotland*, that in divers of his Letters he proposed others to his Majesty for that Trust, protesting it was a Place which of all other he hated most; and when he saw Jealousies taken at his being so long in that Trust, as if the King had been to govern *Scotland* by a Commissioner, he pressed his Majesty to change him; so careful was he to avoid any thing which might be a Greivance to his Country, and retard the King's Service.

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The Duke was very sumptuous and magnificent in his way of Living, but abhorred that debauched custom of Entertainments by drinking, and was an Example of Temperance; which cost him dear in *Denmark*, where he refusing the ordinary Entertainments of that Court in drinking, was not only ill used, but made pay a great Sum under the pretence of Passage-dues. Temperance was particularly recommended to him by his Majesty, when he went to *Germany*; and his returning from that Court without once transgressing these Laws, was such an evidence of his observing them, that afterwards few would tempt him to those Excesses.

Of all Vertues he esteemed Ingenuity and Candor most, as that which was the Ground of all Confidence, and the only Security among Men; and therefore recommended it chiefly to others, and studied to observe it most himself. I confess when I consider his whole Method of framing and carrying on his Designs, how straight and candid they were, if I oft admire his Invention, I do much more esteem the Ingenuity of his proceedings; for I never find him vailing Truth with a Lye, nor carrying on Business with a Cheat: And to speak freely, the greatest departing from these Rules appeared in the Declaration emitted in *April 1648*; where among other things the Parliament declared, *They would not admit his Majesty to the Exercise of his Royal Authority, till he by Oath obliged himself to swear,*
and

and ratify the Covenant. The Duke stuck long 'ere he would give way to this, at length finding the violent Party that crossed the Engagement implacable, and being desirous to withdraw from them all Colours or pretences for opposing that Design, he yielded to it; and at that time said to a Friend of his that the Preservation of the King went so near his Heart, that he could refuse nothing which might make way for that. But it was far from his thoughts to seclude the King from the Exercise of his Royal Power, and therefore it was excused at the same time, both by the Letters his Brother wrote to the King, and in the Instructions sent by Sir *William Fleming* to the Queen and Prince, and by Sir *William Bellenden* to the Prince of Orange. There is also a Journal which he took with his own Hand of what passed in that Parliament, wherein he wrote, when that Act was put to the Vote, *that (though he gave his Vote to it) it was not his own Opinion.* And thus I lay open both his Fault, and the Temptation that led him to it, so that if ever any Officious Lye of a venial Guilt, sure this was: Yet who knows if among the holy and wise Counsels, for which God might have permitted that Armies miscarriage as a Punishment for our other Sins, we not being ripe for a Deliverance, this departing from the severe Rules of Ingenuity and Virtue might not have been one procuring Cause; but this is the only Instance of this Nature I have met with in
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the whole Survey of his Actions and Papers.

As for the mildness and gentleness of his Nature, no Day went over him without giving new discoveries of it. For it was very hard to provoke him, but no less easy to appease him: He was not unequal in his Humour, but as one left him they found him, being always cheerful and ever the same. And whatever aspirings might have been in his Mind, his Carriage was freest of haughtiness that could be both to Equals and Inferiours: He was both easy to address to, and affable in his Converse, and laboured to oblige all People. And in his Command he was far from the common Practice of many, who are very careful to raise all the Money they can, and to oppress the Countries where they March or Quarter. It is true the Earl of *Calander* did draw as much Money as was possible from the Places they passed through with their Army, but the Duke would meddle with none of it: And when *Calander* offered 450 Pound to his Steward, he would not touch it till he spoke with his Master; who charged him strictly not to meddle with it, and acknowledged he had done like a faithful Servant in not taking it.

It was so impossible for him to resent Injuries, that when some of his Vassals had offended him, so that he was resolved to make them sensible of it whenever it lay in his Way, it no sooner came to be so, but their first
Address

Address broke through all his Displeasure ; and never did the settled Composure of his Mind appear more than at *Utoxater*, when in the midst of all that Disorder he preserved his usual Temper. The Generosity of his Mind made him so tender towards all in Trouble, even though deserved, that he was scarce capable of punishing any, even for their Faults. A pretty Instance of this was, that a Woman having stolen his Plate, and being quickly found with it, he was asked what should be done with her ; to which he answered, it seemed she wanted Mony, wherefore he ordered to give her a Piece, and send her away. And when in the Year 1648, a zealous Woman threw a Stone at him, as he passed through the Streets, all he said was, *he wondred what the Woman ailed, for he was never an Enemy to the Sex* : Nor would he suffer any severe Sentence to be executed on her, but when her Hand was ordered to be cut off, he procured her Pardon, and said, *The Stone had missed him, therefore he was to take care that their Sentence might miss her.*

To conclude, I shall not offer to tell you how much his Death was lamented by all who knew him, for then I should never get off : I shall therefore only set down two Letters, the one of Condolance from the *Queen Mother*, another from his Majesty who now Reigns to the Earl of *Lanerick*, then by his Brother's Death Duke of *Hamilton*,

Duke of HAMILTON. 65

ton, which expresseth the value his Majesty had of the Engagement.

Cousin,

INtending every Day for a great while to have dispatch'd Rainsford, I have not hitherto done that which my sense of the Loss of my late Cousin the Duke of Hamilton should have drawn from me long ago, which was to express the Concern I had for his Death: And though my own inexpressible Loss hath made me incapable of feeling any thing else that can befall me in this World, yet it hath not made me insensible of your Brothers Death, both on his own Account and on yours. For Consolation, it is not easy for me to offer you any, being incapable of taking it to my self. We must turn us to God, and receive it of him, for this World cannot afford it: Yet if to bear a share in your Affliction, may in any way lessen some part of your Grief, I am assured you shall find an allay to it; and I desire you may believe, that no Person wishes you more Happiness than my self, who shall study on all occasions to make it appear, that I am with all sincerity,

Cousin,

Paris 22th.

April, 1649.

Your very good, and
affectionate Cousin,

HENRIETA MARIA, R.

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My

My Lord Hamilton,

I Am very sorry that I could not have your Advice in my late Proceedings with Mr. Winram, who is now returned with my Letters (the Copies whereof I send you herewith;) but the Treaty being appointed so near you at Breda, I shall desire your Presence at it, and shall much depend upon your Advice, assuring you that I will take care of your Interests, and of all those honest Men that engaged with your Brother, equally with that which concerns my self. I hope the calling them a Committee of Estates, with such cautions as I use in the Letter, will bring no prejudice to you nor to your Friends. And I will be careful to establish your Interest by the Treaty, without which I conceive I cannot have much assurance. I pray use your best endeavours to your Friends in Scotland, to make their Demands moderate and reasonable; and then I shall not doubt of a good Issue, and such as may enable me to express, how much I am,

Jersey 24th, of Jan.

1649.

Your very affectionate
Friend and Cousin,

CHARLES, R.

William Duke of Hamilton, was born at Hamilton on the 14th of December in the Year 1616, being ten Years younger than his Brother,

ther, and of the same Parents. He was of a middle Stature, his Complexion black, but very agreeable, and his whole Air and Mien was noble and sprightful : His Youth discovered with an extraordinary Capacity, so much Ingenuity, that Candor seemed in him not so much the Effect of Vertue as Nature, since from a Child he could never upon any temptation be made to lye.

When his Father died he left him very young to the care of his Mother, and the kindness of his Brother, with a very small Provision : But he confessed he never missed a Father in his Brother, who kept him not only at the University of *Glasgow*, where he was educated, but likewise in his Travels at a rate, and with an Equipage suitable to his Quality. He travelled some Years in *France*, where he was very much esteemed, and invited to stay in that Court with very honourable Offers. He had a good Foundation of Literature, though he was no great Scholar ; and what he once acquired, was rather improved than lost by him.

He returned from his Travels when he was one and twenty Years of Age, and was look'd on both by the King and Queen as a rare and highly promising Gentleman ; and now that he was of an Age capable of it, his Brother and he entered into an entire Friendship. And finding him so rarely accomplished, and fitted for the greatest Affairs, he kept him with himself at Court ; and though he depended

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wholly upon his Brothers Generosity for his Subsistence, yet he was far from making him feel that, either by upbraiding him with his Favours, or by disparaging him with any neglect, (Faults too commonly incident to elder Brothers, when the younger are obliged to stoop to them.) But as Lord *William* was too high-minded to have endured the least appearance of those, so his Brother was not capable of giving him any such hard Usage, but allowed him all things suitable to his Rank, and carried towards him with Respect as well as Affection.

He continued in the Court some Years, being much esteemed by all sorts there : For as his Address was becoming, so his converse was full of Life and Wit, and he was a great Master in all his Exercises. But his Brother was more careful to think of a Fortune for him than himself was, and therefore provided a Marriage for him, that had the Expectation of a vast Fortune, Lady *Elizabeth Maxwell*, eldest Daughter to the Earl of *Dirleton*, (who had no Sons, and but one other Daughter.) It was not without reluctance that he was engaged that way, but his Brothers Authority over him was absolute; so he was married to her in the Year 1638, and continued still at Court. He had by her four Daughters that survived him, Lady *Anne*, Lady *Elizabeth*, Lady *Mary*, and Lady *Margaret*.

Afterwards

Afterwards he endeavoured to be made Master of the Horse to the Queen, but Her Majesty was engaged to another, which was much resented by him, and made him resolve on leaving the Court and going into *France*. This grieved his Brother extremely, and both the King and Queen sent him a Promise, that if he would give over the thoughts of that Journey, he should be preferred to whatever Place fell, that were fit for him. And a little after that, the Earl of *Sterlin* died, who was Secretary of State for *Scotland*, and the Queen moved the King to advance him to that Trust, to which his Majesty did willingly consent : For as he was glad of all Opportunities of expressing his kindness to his Brother, so he saw in himself that which made him judge him both worthy and capable of any Imployment ; and thereupon he made him Secretary. and created him Earl of *Lanerick*. He had every thing but Years to recommend him to the highest Trust, being Witty, Considerate, Brave, Generous, and resolute to the highest Degree. He saw his Engagement in Affairs fell to be in such a disordered time, that he could not have appeared on the Scene with more disadvantage. He had no experience at all in *Scotish* Affairs, but for that he resolved to trust to his Brothers Informations and Advices ; which did not only continue till he came to understand Persons and Affairs better, but that noble Pair were all their lives united with the Bonds

Bonds of Friendship straiter than those of their Blood. Calumny got no access to their Ears, nor Emulation and Jealousie room in their Hearts; and as their Friendship was never broke off with a Discord, so it was not so much as marred by a Mistake. They had both Interests, Friends and Quarrels in common; they were Pleasant in their Lives, nor was their Friendship divided in their Deaths, as appeared from the interchanged Preferences they gave one anothers Children in their last Wills.

Both of them had peculiar Excellencies; yet even in those things, wherein the one excelled the other, there remained enough to term them both Eminent. The Elder had the greater Temper and command of his Passions, but this made him sometimes fall short of that Acrimony and Authority which such Times and Services required. The younger was more forward and resolute, yet sometimes this left his Temper behind it. The Elder as he had the advantage of Years and Experience, so he had the deeper Apprehensions, and the greater Foresight; but the Younger had more Vivacity of Spirit and readines of Apprehension. The Elder was readier to foresee a Danger, and invent Objections, and the Younger quicker at answering them, and finding Salvos for all Difficulties. The Elders Converse was smoother, but more reserved; the Younger as he was the Brisker, so he was the more frank, and
was

was no less beloved : And in fine, the Elder spoke more gracefully, but the other had the better Pen.

He was most assiduous in his Employment, to procure not only favourable Answers, but speedy Dispatches to all those who made their Addresses by him to the King. He frankly told every one whether he would serve them or not, for where he meant no such thing, he never disguised it with general Assurances : But where he promised Service he needed no new Applications, either to refresh his Memory or quicken his Diligence ; and he was wont to say, he was sure there was no Person, whose sight His Majesty had so little Reason to desire as his, since he never saw him, when there was any possibility of speaking to him apart, but he moved him in one Suit or another. But his Confidence was grounded on this, that he gave the King no trouble with any desires of his own : His Reality this way obliged his Friends exceedingly, who used to complain, that though his Brother, as far as his own kindness could go, was most obliging, yet he was averse from doing them such Services with the King as they desired of him.

He had a Vivacity of Apprehension beyond any about him, with a great conception of Things, and quickly penetrated into Mens Thoughts and Designs. His Discourse was short, but nervous, witty, and full of Stings, when he had a mind to reflect on others ; but he was soon heated, and kept his Fire pretty long

long. There was not a mean Thought lodged in his Breast, all his designs being noble and aspiring, which with the fervour of his Nature, made him pass for a very proud Man among his Enemies. He was indeed Gallant and Generous to all Degrees, and none alive was capable of a higher sense of Honour and Gratitude, nor more unable to stoop to any thing that was fordid or mean.

For his Religion he was a true zealous Protestant, and his Opinions about our unhappy Differences at Home were the same with his Brothers. He had a great dislike of Church-Mens pretending to meddle in Civil Affairs, finding it hurtful on all Hands; and therefore was much for confining them to their own Work. In those Times when Things were like to run a risque in the Committee of Estates, most commonly the sense of the Commission of the General Assembly was brought in to declare how far Religion and the Covenant was concerned in any particular that was under Debate; and this swayed some, and over-awed others: But nothing was more odious to him than this Practice, and he wisely foresaw, and often said, that nothing could bring such a stain on Religion, in the minds of those who were too inclinable to receive bad impressions of it, as the officious and overmeddling Tempers of hot and indiscreet Church-Men. His Practice in Devotion, in some of his last Years, shewed him to be sincerely Religious.

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He had for many Years great Convictions on his Conscience of the true Excellence of Religion, but humane infirmity prevailed too much over him, and he was not free of Blemishes : Yet he found he had to do with a merciful God, who gave him such a Victory over those Snares, and such tender Impressions of his Love, that long before his Death he was come to have that Assurance of the Divine Goodness, that he was not only ready and willing, but longing for Death.

The Afflictions he lay under in his last Years, contributed not a little to the raising that sense of things in him, these having been the saddest Years *Scotland* ever saw, in which he was overlaid both with publick and personal Troubles. Those which went nearest his Heart, and wounded it in its most sensible part, were first the King's Murther, and then his Brothers ; neither was he capable of so mean a thought, as to receive any allay to the last by the Dignity and Fortune which thereby descended on him. The Friendship betwixt them had continued to the end sacred and inviolated, and as the Elder transmitted not only his Estate and Honour, but left also his personal Estate, Jewels, Plate, and Pictures (which were of great value) to his Brother, giving only Portions to his Daughters, trusting even the Writings for these to his Brother, to lessen them as he found the Estate might bear it ; so the Younger judged

M himself

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himself bound in Honour and Gratitude to return such of those as were still in his Power, (many of them having been either disposed of for defraying his necessary Expence in that troublesome Time, or lost in the Invasion of *Scotland*) again to his Brothers Daughter, whereby he prosecuted his Brothers first Design, who had provided the Honour and Fortune to descend on his own Daughters if his Brother had no Sons. And so much did he honour his Brother's Memory, that Injuries done himself raised not such irreconcilable Resentments in him as those had been done his Brother: Neither was any Address so welcome to him, as that which came with a respective Remembrance of his Brother; and he entailed his Friendship for him on his Daughters, who have acknowledged to the World, by a learned Hand, that in him they met with the tenderness of a Father, the kindness of a Friend, and every thing that was generously noble and obliging. And so desirous was he to have his Niece enjoy her Father's Estate and Dignity, that at his going to *England* he professed he was glad he had no Sons to lie in her way to it; adding, that if he had forty Sons, he rather wished it to her, then he could do to any of them.

As for those Princes whom he served, he had even as much Justice from Fame as his Heart could wish, since none did ever fasten any ill Characters on him in that particular, except

except that little which was done at *Oxford*. But he who of all living knew his Brother best, acknowledged that in this he had the better of him only by Fame, and that the longer he lived he discerned the more Wisdom in his Designs, and honesty in all his Counsels : but that which made the Difference was, that his Temper was more forward, and he often spoke out those Resentments which his Brother either had not with so much Passion, or chose to bury in his Breast.

Nothing did so much support his Spirit under the heavy Pressure that lay over it, as the desire he had to preserve his Life for his Majesties Service, of which he was prodigal, when he saw it useless to his Master, for his Life had been of a great while burdensome to him : And indeed it was no wonder to see Death so welcome to one who had so little reason to desire to live, and so much ground to hope in Death ; for when the Troubles, and unjust unmerciful Usage he met with in those Years he survived his Brother, are well looked into, it is a wonder they forced him not to *the horridest Resolutions imaginable*, (using his own Words) *and to pursue private and publick Injuries with a mortal Resentment* : yet his zeal for the King's Service, and the Countries Quiet, over-ruled all other thoughts. From *Scotland* he went to *Holland* where he was scarce landed when he heard the sad and

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dismal news of the King's Murder, nor had he recovered of the extreme Grief that raised in him, when he heard likewise how his Brother was murdered, which afflicted him beyond Expression; nor did any thing grieve him more than his laying down Arms at *Sterlin*, for when he saw too late how they had been abused in it, he censured it more severely than any of his Enemies could do.

In *Scotland* the Parliament (if that Meeting could ever deserve that Name, wherein there were scarce any of the Nobility present) not only condemned the Engagement for the King, but passed an Act against all the Engagers, ranking them in several *Classes*, whence it got the Name of an *Act of Classes*, whereby they were excluded from all Offices, publick Trust, and Vote in Parliament: Nor were they ever to be admitted to Trust, till they had satisfied the Church by a publick profession of their Repentance for their Accession to the unlawful Engagement, as it was then called, and were by them recommended to the Favour of the State; and those that ruled were resolved to readmit none, but such as would depend on them, and adhere to their Interests. They were also particularly severe to the Duke, for breaking Confinement, and leaving *Scotland* without their Pass. The Duke upon his arrival in *Holland* offered his Service to his Master, which he received and entertained with so much Royal Goodness,

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as if the Affection and Confidence of their Masters had been the Inheritance of these Brother's; and what the late King was to the Elder, his Majesty was to the Younger, who continued to the last to honour his Memory with the highest Commendations. And indeed his Royal Favour was not misplaced on One that was either unsensible or ungrateful, for never Subject served Master with more Honesty, Zeal, and Affection; so that no consideration either of Hope or Fear wrought so much on him, as the Affection he bore his Master: Neither expressed he anxiety for any thing at his Death, save for his Majesties Person, fearing lest he might fall into their cruel Hands, whom he knew to be thirsting for his Blood.

He stayed in the *Netherlands* till his Majesty came to *Scotland*; and though those that governed there were so much his Enemies, that they would have the King stand to their *Act of Classes*, and made that one of the Articles of their Treaty at *Breda*: Yet the Duke seeing the desperate Posture the King's Affairs were in, and that no visible hope remained unless his Majesty settled fully with *Scotland*, was not only satisfied to consent to that severe Demand, but did earnestly press his Majesty to agree with that Kingdom, whatever might become of him. Many were for extremer Methods, and pressed the Duke to concur for making a forcible Impression

pression upon *Scotland*: But he well foresaw the mischief of that Course, and how little could be promised from it; for as no great Concurrence could be expected in the condition of things were then driven to, so all that could follow, even on a little success, was to expose the Country to the rage of a prevailing Army from *England*, against which *Scotland* entirely united would have had Work enough, though it had not been weakned by a Civil War; and therefore he was against all Divisions, which might also have tempted the prevailing Party to join with the *English* Army.

The Treaty with the *Stotish* Commissioners was held at *Breda*, where things stuck long, their Demands being very high and uneasy to the King. The chief of the Commissioners was the Earl of *Cassils*, who did truly love the King and Kingly Government; so that when the Usurpation proved successful by the Conquest of *Scotland* afterwards, though the Usurper studied by the greatest Offers he could make to gain him to his Party, considering the high esteem he was in for his Piety and Vertue, could never prevail so far as to make him advance one step towards him, even in outward Civilities: Yet he was a most zealous Covenanter, but of so severe a Vertue, and so exactly strict to every thing, in which he judged his Honour and Conscience concerned, that he would not abate the least

least of his Instructions, but stood his Ground so that nothing could beat or draw him out of it. But he did it with much Fairness and Candor, that the King, though troubled enough with the Difficulties it bred him, yet was much taken with the Openness of his Proceeding with him, and conceived so high an Opinion of his Fidelity to him, that nothing could ever change or lessen it: So excellent a thing is Ingenuity that it begets an esteem wherever it is to be found, even when we are most displeased with the Instances in which it appears. The next in the Commission was the Earl of *Lothian*, who though he was deeply engaged in Friendships and Interests with the Marquis of *Argyle*, yet was of a Noble Temper, had great Parts, and a high sense of Honour. The other Commissioners depended on them, and went easily along with them in what they agreed to.

The Commissioners seeing the good Offices the Duke did, were willing he should return with his Majesty to *Scotland*, Anno 1650, and enjoy the common Priviledges of *Scotchmen*, only to be secluded from all publick Trust, and from his Vote in Parliament. But the leading-Men in *Scotland* judged it necessary for the Peace of that Kingdom, that the Duke might not return with his Majesty, and sent Orders for stopping his Voyage. These Orders came not to *Holland*, before most of the Commissioners were aboard, only the

the Earls of *Cassils* and *Lothian* were ashore when they got them; they were much troubled to get such severe Commands, obliging them to break the Treaty they had so lately signed. But since most of their fellow-Commissioners were gone, and they without them made not a *Quorum*, they could do nothing, so that the Duke was suffered to return to *Scotland* with the King. But at his Majesties Landing, one appointed by the Parliament to put him from the King, required him to withdraw: And when the King presented the Commissioners with the Articles of their Treaty, they said they could not oppose an Order of Parliament. The King was much offended with this, and was inclining to resent it, both as an unworthy Usage and as a breach of Treaty: But the Duke told him, that at that time *Argyle* was the Person who was most able to render him considerable Service in *Scotland*; wherefore, though he knew he designed nothing so much as his Ruin, yet he advised his Majesty to use all possible means to gain him absolutely to his Party, and to neglect himself as much as *Argyle* desired, and not at all to seem much concerned in him; adding, that he knew when his Majesties Affairs were in a better Posture, he would not forget his faithful Servants. It was in vain for him to claim either the benefit of the Treaty at *Sterlin*, or *Brèda*, Interest and Jealousy prevailing more
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with these who then ruled than any other Tie; so the Duke was forced to retire to the Isle of *Arran*, where he stayed till the end of *January* 1651: Nor could his Petitions with the Intercessions of his Friends prevail for allowing him the Liberty of coming to fight for his King and Country, so that he was forced to stay at *Arran* till the best half of *Scotland* was lost.

But God who had suffered the Church-Party to prevail long, did blast their Force and Success at once; for *Cromwel* upon the Parliament of *Scotland's* bringing home their King, entred it with his Army. The Church-Party as they had no mind to invade *England* on the King's account, so were very careful to declare that their Arming against *Cromwel* was not on the King's account, which they excluded from the state of the Quarrel by an Act of their Committee; and declared that they stood only to their own Defence, against that Hostile Invasion which was contrary to their Covenant and Treaties. They were also very careful to model their Army, so that neither Malignant nor Engager that had been of the King's Party, should serve in it; for though when his Majesty came to their Army at *Leith*, the Souldiers were much animated by his Presence, and with the coming of two thousand brave Gentlemen with him to the Army, yet the Leaders of that Party pretended, that since the Malignants were in their Army God would

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be provoked to give them up to the Enemy, and therefore forced the King to leave the Army. They also forced away all those Gentlemen who came and offered their Service. I shall not pursue this account further, but only add, that notwithstanding all their Confidence of their Army, and though they had the Enemy at great disadvantages, so that he and all other his Officers gave themselves for gone; yet they were with very little Opposition broken and routed near *Dunbar* on the third of *September* 1650, and even those who two Years before had insulted over the Misfortunes of the Engagement, were now themselves taught, how ill an Argument Success was to evince the Goodness of a Cause.

This procured a great change in the Counsels of *Scotland*, for by that time the honest, and better part of the Clergy were by the Murther of the King, and the other Proceedings in *England* filled with distast and horror at them, and began to think how defective they had hitherto been in their Duty to the King, and therefore resolved to adhere more faithfully to it in all time coming. Others of the Church-Party did also see, that as *Cromwel* was setting up a Commonwealth in *England*, so they found many of the forwarder amongst themselves very much inclined to it in *Scotland*. This divided them from the other violent Party, and made them join more cordially with the King, and be willing to receive his other faithful Servants

to oppose the common Enemy ; therefore it was brought under debate, if the *Act of Classes* that excluded them from Trust, should not be rescinded, and all Subjects allowed to enjoy their Priviledges, and suffered to resist the Common Enemy : after a long debate it was carried in the Affirmative, yet none were to be received but upon particular Applications and Professions of Repentance. The Commission of the Kirk being also asked their Opinions, declared, that in such an Exigency, when the Enemy was Master of all on the South of *Forth* and *Chide*, all sensible Persons might be raised for the Defence of the Country. This was called the Resolution of the Commission of the General Assembly, and was ratified by the subsequent General Assembly. But against this many Ministers protested, and from thence arose great Heats and Divisions among those of the Kirkmen, who owned the publick Resolutions, and those who protested against them, the one being called the *Publick-Resolutioners*, and the other *Protesters*. And now all Churches were full of pretended Penitents, for every one that offered his Service to the King, was received upon the publick profession of his Repentance for his former Malignancy, wherein all saw they were only doing it in compliance to the peremptory Humour of that time,

It was about the end of *January* that the Duke was suffered to come and wait on the
N 2 King ;

King; but at that time *Cliddisdale*, with the other Places where his Interest lay, were in the Enemies Hands, who had put Garrisons in *Hamilton*, *Douglafs*, *Carnwath*, *Boghall*, and other Houses of that Country. Yet the Duke got quickly about him a brave Troop of about an hundred Horfe, made up of many Noblemen and Gentlemen who rode in it, among whom were divers Earls and Lords, whose Lands being also poffeffed by the Enemy, they could do no more than hazard their own Persons in his Majesties Service; the rest were his Vaffals and Gentlemen of his Name: And they were commanded under him by a gallant Gentleman, *Sir Thomas Hamilton of Presto*, whom he fent with 18 Horfe to *Cliddisdale*, to try if the Enemy could be catched at any difadvantage, and the People of the Country raifed for the King. The Enemy kept fo good Guards, and was fo ftrong at *Hamilton*, that he could not fall in there; therefore he went to *Douglas*, where he took about 80 Horfe that belonged to the Garrison but could not furprize the Houfe, for it was too ftrong to be taken without Cannon. He likewise took all the Horfe that belonged to the Garrison at *Boghall*, and killed twenty Souldiers. This made the Enemy keep clofer at *Hamilton*, upon which the Duke refolved to raife ten Troops of Horfe, and appointed *Sir Thomas Hamilton* Lieutenant-Collonel; but the Enemies Garrisons gave great interruptions to his Defigns.

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At that time the Enemy landed at *Innerkeething* in *Fife*, and the great loss the King had there, did both raise the Enemies boldness, and much daunt his faithful Friends: For now *Cromwel* was betwixt his Majesty and the Northern Counties of *Scotland*, which were both most affectionate to his Service, and from whence he was to expect Provisions and Supplies; so that it was not possible for the King to maintain the War any longer in *Scotland*, and therefore he resolved on a March to *England*, being put in hopes of great Accessions of force to his Army from the Royal Party there: And this gave a trial to the Fidelity and Courage of many of the *Scottish* Nation: But too many looking on the Attempt as desperate, being more careful of their Lives and Fortunes than to hazard any thing in the King's Service, shrunk away, though divers of them had Charges in the Army. Against these base Deserters of their King and Country, the Duke was moved with such just Indignation, that he vowed if ever he returned with Life and Liberty, he should make these in whom he had interest answer for it.

The Duke waited on the King in the whole March, and gave Order that the Troops which he had levied should follow with all possible haste. Seven of them came up, and joyned the Army at *Moffet*, but the interruptions the Enemy gave, made that the rest could not be raised; nor were these Troops full. The Duke welcomed them with

with great affection, and assured them they should be as dear to him as his own Life, and that if God blessed the King with Success, he should be very careful to see them rewarded as they should deserve : But seeing they made in all but betwixt two and three hundred, he feared too many Standards would make them look like the remains of a broken Army ; and therefore he set up only his own Standard, and so turned his small Regiment into a great Troop, and marched on with the Army.

When the Army came to *Warington-Bridge*, and beat *Lambert* from it, the Duke Commanded the Brigade (where his Horse were) that was in the Reer of the Foot ; but that and the other Brigade of Horse being commanded to halt, he sent his Major to the Lieutenant-General, for Orders to March, that the Enemy might be vigorously pursued : but the Lieutenant-General would have the Foot lead over first, and so that Occasion was lost, which he with many others did infinitely regrave with great demonstrations of Grief. Then it was debated, which way the King should hold : The Duke pressed that they should March streight to *London*, which was the desire of the whole Army, and that which *Lambert* apprehended, for in his Retreat he took the *London-Road*. There were also many other Reasons used to enforce it, but the *English* Nobility and Gentry, who were in the Army, and the Earl of
Derby,

Derby, who with many Gentlemen came to the Army that Night, gave many Reasons against that March. The Duke seeing them so much against it, though his Reason could not go along with theirs; yet that he might not oppose so many brave and Loyal Gentlemen, went out of the King's Tent, for he would not by his Presence seem to consent to that which he apprehended would prejudice the King's Service : But was so far from disparaging the other Counsels, and enhancing the value of his own, that he went and laboured with all the Officers of the Army, to to engage them to a cheerful Concurrence in the Resolutions that were taken, and studied even to perswade them to consent to that which had not yet prevailed on his own Reason.

The Resolution being taken to go to *Worcester* and storm it, the Army marched, and when they came near the Town, some Horse and Dragoons which were sent thither by *Lambert* two Days before, retired to *Glocester*; and the King entred *Worcester* with two Bodies of Foot, the rest Marched through the Town over the *Severn*. The Day after the King came to *Worcester*, the Duke with many of the Nobility and Gentry went to the Cross, and himself read the King's Proclamation, and caused the Mayor of the Town to proclaim it; but God having designed to set his Majesty on the Throne of his Ancestors by his own Immediate Hand, all hopes of supplies from *Wales*, or other well-affected Places,

Places, vanished. *Cromwel* also followed the King from *Scotland* in great Marches, having left General *Monk* (since the famous, Duke of *Albemarle*) there with an Army to subdue the little strength that remained for maintaining his Majesties Interest in that Kingdom. The Day after *Cromwel* came before *Worcester*, the King called a great Council of War, to consider what was to be done, where the Duke spake first, and after he had in as short terms as was possible opened the state of Affairs, he said one of three things must be done; Either they were to March out and fight, to lie still and provide for a Siege, or to March to *London*, the other side of the *Severn* being then free. He proposed the Difficulties of all these, yet said one of them was to be done, and desired that his Majesty might put it to the Debate, which of them was fittest. None proposed a fourth Expedient. But the Duke did afterwards suggest, if the Marching into *Wales* might be adviseable; but as they were in the Debate, before the half of the Council of War had delivered their Opinions, there came an Alarm to the Door that dissolved the Meeting. This was four Days before the Fight, the Enemy grew daily stronger, and raised the whole Country to his Assistance; and as the King's small Army was utterly disproportioned to their Strength, so the Courage of the Souldiers did daily abate; and the Duke as he clearly foresaw the ruin of the King's Affairs at that time,

time, and the Captivity of his Country that would follow ; so he desired not to out-live it, which he plainly told some of his more intimate Friends, though for encouraging others, he put on a great appearance of Cheerfulness in his looks : But apprehending that his End drew nigh, notwithstanding all the Attendance he was obliged to at Court, and with the Army ; yet he set off large Portions of his Time for reviewing his Life, and fitting himself for Eternity ; and when his Employment all Day denied him the conveniency of such long and serious Retirements as that Work required, he took it from his sleep in the Night, being more solitious for rest to his Mind than to his Body.

In these Exercises he continued till it was almost Morning ; and then threw himself down on the Bed, where he did not lie above two Hours when he was called on to make ready, and as soon as he was Dressed and Armed, he waited on the King into the Field.

The Account of that Engagement is not here to be offered, since nothing belongs to this Work but that wherein the Duke was concerned. His Regiment was commanded to charge a Body of Horse and Foot, that stood near two pieces of Cannon not far from the *Severn* : But there were two great Bodies of Foot standing on each side of the Lane, through which they were to go, and these firing on them as they passed, they received
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great loss; but having got through the Lane, there was no coming to the Enemy, who stood in a close Ground, but through a Gap in the Hedge, through which the Lieutenant-Colonel with a very inconsiderable Number Charged, and the Enemy gave Ground, and left the Cannon in their Hands, the Horse retiring to *Hacker's* Regiment, who came up and Charged, and was gallantly received by the Lieutenant-Colonel and the Dukes Regiment: But some Foot brought to line the Hedges on their Flanks, fired so on them that they were forced to retire. The Duke being near the King's Person, and observed all that passed, inquired who they were? and being told it was his own Regiment, he thought it unworthy of him to be too far from Danger, when they were so put to it, and galloped all alone from the King to the place where they were, when he found them retiring, and did all he could either by Words or Threatnings to make them keep their Ground. But the Enemy did still bring up more Foot, and fired incessantly on them, and most of the Officers were either wounded, or had their Horses killed under them; particularly the Lieutenant-Colonel, who had all the while Charged very gallantly, had his Horse shot under him, and so were beaten back. The Duke himself kept in the Reer, with such as were in a Condition to wait on him, to the great hazard of his Person, and gave signal Demonstrations of a high

high Courage: But the Enemy following him close in great Bodies, he commanded some Foot to make good the Hedge against them, and rode up and down among them, and encouraged them to stand and die for the Service of their King, and the Honour of their Country; and did several times Charge down to the Hedges, so that all were astonished at such daring and unusual Valour. But the Enemy pressing on, he rode again with his Pistol in his Hand to the Hedge, where he received the fatal Shot that quite disabled him. His Majesty hearing of the extreme Danger he exposed himself to in these Charges, and knowing well how great a loss he would suffer, if so brave a Commander and such a wise and faithful Counsellor were killed, sent once and again to call him away from that hazard he was in, but he chose to prefer his Majesties Service to these most obliging Commands; yet being disabled by the Wound he got, he was forced to retire to the Town. The total routing of the Army quickly followed, and by the taking of *Worcester* that Night he fell into the Enemies Hands.

When he came to his Lodgings his Wound was searched by the King's Surgeon, Mr. *Kincaid*, who found that by a Slug-shot the Bone of his Leg, a little below the Joint, was crushed, and so broken that many Splinters with the Bullet were taken out at first dressing, and many more fragments were at several other dressings

sings separated from the Bone ; and the Surgeon told him, the only way to save his Life, was to lose his Leg. But *Trappam*, *Cromwel's* Surgeon, being sent by him to wait on the Duke, assured him there was no hazard. Two Days after the Duke was wounded, the King's Physician, Sir *Robert Cunningham*, being found out among the Prisoners, was brought to him, who found he had lost much Blood by his Wound, and therefore opened a Vain in his Arm, which diverted the course of the Blood. Then the Duke asked his Opinion about himself, who told him plainly, there was no hope of saving his Life but by cutting off his Leg, and if that were done some hopes remained ; but *Trappam* having assured him there was no hazard, he was not willing to submit to so severe a Sentence, till he were further satisfied of its being absolutely necessary : Therefore he sent to *London* for Mr. *Dickson*, who was an expert Surgeon, in whom he had great Confidence, and came to him with all possible haste ; but it was too late, for the Dukes Strength and Spirit were so wasted that they durst not adventure on the Operation. During these few Days of the Dukes Life, he expressed great Composure of Mind, and a chearful willingness to welcome his approaching End, which drew on apace ; nor shewed he anxiety or concern in any thing but his Majesties Preservation, for which as he prayed constantly, so he still enquired News concerning him, and blessed
God

God that he heard none, judging from that that he was safe and had escaped.

On the 11th of *September* the Duke's Pulse failed quite, which he discerned first himself, and called for his Physician to whom he said he felt no pain nor sickness, but could not discern his Pulse to move, and no more did his Physician; but imputing it to malignant Vapors rising from his Wound, he gave him some Cordials which made no Change upon him: And then his Spirits quitting all their Natural Operations retired to his Brain, and his Intellectual Faculties, his Memory, Reason, and Expression continued in their Vigor for the space of twelve Hours; after that, his Voice was likewise entire and strong. The total cessation of the Arterial Motion, together with a Marmoreous Coldness, that was creeping upon him by degrees from all his Extremities, made his Physician warn him that Death was approaching; the Duke answered, that from the beginning he apprehended his Wound would prove Mortal, but he could not think Death was so near him, since he found neither Sickness, Pain, Fainting, nor Oppression trouble him. He had been during his Sickness oft waited on both by the Ministers of *Worcester*, and the Ministers who waited on the King's Army, whom he called for; and as they prayed and ministred Divine Consolations to him, so they were much comforted and edified with the Christian Courage and Joy he expressed in these his
last

last and closest Conflicts. From six in the Morning on the 12 of September he lay quiet, speaking little, but was observed all the while by those who looked often to see what he was doing, that he was well employed in mental Prayer and devout Ejaculations. About nine a Clock being asked by his Physician how he was, he answered his Heart was free of Sickness; but added, *That he should tell his Relations in Scotland, that he died believing, that through the Merits of the Mediator the Lord Jesus Christ, the Lord his Righteousness, and through the Infinite Mercies of his God, it should fare with him as with the idle Labourers in the Parable of the Vineyard, who went in at the 11th Hour and yet received the Penny; so he believed, that though in the last Hour of the Day he had entred into his Masters Service, he should receive his Penny also.* From that time he lay quiet, and about twelve a Clock, after three Groans, without any other struggling and Passion of Death, he breathed out his Soul, and his Body was interred in the Cathedral Church of Worcester; for though according to his Orders for burying him with his Ancestors at *Hamilton*, his Servants did move earnestly that they might have leave to carry his Body to *Scotland*, yet it was flatly denied.

He married, Anno 1638, the Lady *Elizabeth Maxwell*, eldest Daughter to the Earl of *Dirleton*, and left behind him four Daughters, *Lady Anne, Elizabeth, Mary, and Margaret*,
married

married to the Earls of *Southesk*, *Glencairn*, and the *Laird of Blair*.

He was succeeded by *Anne* Dutchess of *Hamilton* his Neice, and eldest Daughter to Duke *James*: She married *William* Earl of *Selkirk*, eldest Son of *William* Marquis of *Dowglass*, by his second Wife Lady *Mary Gordon* Daughter to the Marquis of *Huntley*. He was, at the request of the Dutchess, created Duke of *Hamilton*, in 1661; and soon after made Knight of the Garter. The Measures towards the latter end of King *James's* Reign displeasing him, he appear'd very early in the Interest of the Prince of *Orange* at the *Revolution*, was chose President at the Convention of Estates, and had a very extraordinary Power vested in him by Parliament, of seizing and imprisoning all suspicious Persons; and when the Convention was turned into a Parliament in 1689, he was appointed Commissioner, and Lord President of the Privy-Council of *Scotland*, and was soon after appointed Lord High-Admiral of *Scotland*. In 1693 he was again named Commissioner to the Parliament; he was afterwards made one of the Lords Extraordinary of the Session, and one of the Lords of the Treasury; he died in the Palace of *Holyrood-house*, and was buried at the Burying-place of the Family at *Hamilton*, where there is a stately Monument erected for him.

By *Anne*, his Dutchess aforesaid he had Issue *James* Earl of *Arran*, who succeeded him,

him, born in the Year 1657 ; Lord *William*, who died in *France* a Batchellor ; *Charles* Earl of *Selkirk* ; *John*, Earl of *Rutberglen*, *George* Earl of *Orkney*, Lord *Basil*, and Lord *Archibald* ; and three Daughters, Lady *Catherine*, married to the Duke of *Athol* ; Lady *Susan*, married first to the Earl of *Dundonald*, and afterwards to the Marquis of *Tweed-dal* ; and Lady *Margaret*, married to the Earl of *Penmoor*.

He gave great Application to the Publick Business, and at the same time looked carefully after his own ; for he was an excellent OEconomist, as appeared by his retrieving his Fortune, which had been impoverished by the great Succours raised out of the Estate, for the Service of King *Charles I.*

This *Anne* his Dutcheſs ſurvived him, and is ſtill living at *Hamilton* ; a Lady of extraordinary Merit.

James Duke of *Hamilton* ſucceeded his Father : After his Education at the Univerſity of *Glasgow*, he ſpent ſome time in Travel, and on his Return, diſcovered ſo much good Senſe, and pleaſant Wit, that he very ſoon became a great Favourite with King *Charles II.* who was an allowed Judge of Men, and by him made one of the Gentlemen of his Majeſties Bed-Chamber.

He was ſoon after appointed his Majeſties Envoy-Extraordinary to the preſent King of *France*, to Congratulate that Prince upon the Birth of the preſent King of *Spain*. He continued

ruined some time in *France*, and served two Campaigns under the King as *Aid-de-Camp*, (the late *Dauphine* of *France* and he being sworn *Aid-de-Camps* at the same time) where he gained an universal good Character. During this time he continued Gentleman of the Bed-Chamber.

Whilst he was in *France*, the Nation was unfortunately deprived of their Prince King *Charles II.* an Accident the Duke extremely lamented: But his Successor King *James II.* continued to have the same Regard for him his Brother ever had, and named him Envoy-Extraordinary to the Court of *France*; and on his return to *England*, gave him the Command of a Regiment of Horse in the new Levies formed on *Monmouth's* Rebellion.

In the Year 1687, the King reviving the Ancient and most Noble Order of the Thistle, or *St. Andrew*, in *Scotland*, made the Duke one of the Knights thereof, and soon after appointed him Master of the Wardrobe. He continued with this unfortunate Prince to the last; and in the Year 1688, when the Prince of *Orange* landed from *Holland*, marched with him to *Salisbury*, where he was made Colonel of the old *Oxford* Regiment.

From these Steps, which proceeded only from the highest Notions of Loyalty, he became suspected of complying too warmly with King *James's* Designs and Methods to introduce Popery: But it is apparent to all who knew him, that he had not the least Inclina-

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tion to Popery, nor could he ever be induced on any Account to think of changing his Religion ; even while the King seemed to have the greatest Influence over him, and he was in as great Credit with his Majesty as any Subject could well be : As he had no Thoughts which inclined him that way, so was it directly contrary to his Interest, since it is known that the Family have ever been such zealous Protestants, that the Entail of the Estate cuts out all Papists from succeeding to it. It is true indeed, that he was one of those who signed the Letter in Answer to the King's Proclamation sent to the Privy-Council in *Scotland*, for Liberty of Conscience, and for Repealing the Laws made against Papists in that Kingdom ; but not with any View to the Introducing of Popery, which would have been one of the last things he could ever have been prevailed with to consent to.

As to his Behaviour at the Revolution, it has been observed that he marched with King *James* to *Salisbury* ; and after his return from thence, continued to the last with that unfortunate Prince, which he looked on as his Duty, for the many eminent Favours he had received from him. This done, according to the Example of the rest of the Nobility, he waited on the Prince of *Orange*. He excused himself to the Prince for being one of the last that paid him their Compliments ; but at the same time very frankly told his

his Highness, *That if the King had not withdrawn out of the Kingdom, he would have waited on him Sword in Hand.* The Prince made no Answer to this ; but from that time looked on the Duke as a Man entirely in the Interest of King *James* : The effect of which Opinion he soon experienced, by having his Regiment of Horse taken from him. But the Duke did not think that, or any other Cause, sufficient to alter his Loyalty.

When the Prince afterwards assembled the *Scottish* Lords and Gentlemen, and had informed them of the Reasons which induced him to hazard so great an Undertaking ; and they were entering upon the Consideration of an Address to his Highness, to take upon him the Government of the Kingdom *Scotland*, and had chose the old Duke of *Hamilton* his Father the President of their Assembly ; his Grace, then only Earl of *Arran*, gave his Opinion in the following manner.

My Lords,

“ I have all the Honour and Deference
“ imaginable for the Prince of *Orange* : I
“ think him a brave Prince, and that we owe
“ him great Obligations, in contributing so
“ much for our Delivery from Popery ; but
“ while I pay those Praises, I cannot violate
“ my Duty to my Master ; I must distinguish
“ between his Popery, and his Person : I
“ dislike the one, but have sworn and pay Al-
“ legiance to the other, which makes it im-

“ possible for me to sign away that, which I
 “ cannot forbear believing, is the King my
 “ Master’s Right ; for his present Absence
 “ from us, by being in *France*, can no more
 “ affect our Duty, than his long Absence from
 “ us in *Scotland* has done all this while.

My Lords,

“ The Prince in his Paper desires our Ad-
 “ vice ; mine is, that we should move his
 “ Highness -to desire his Majesty to return
 “ and call a free Parliament for securing our
 “ Religion and Property, according to the
 “ known Laws of that Kingdom ; which, in
 “ my humble Opinion, will at last be found
 “ the best way to heal our Breaches.

But this Speech, however Loyal it was, was not at all relished by the Assembly, and it passed in Opposition to the Duke’s Opinion. Not long after the Prince and Princess of *Orange* had been declared King and Queen of *England*, &c. the Duke was set on in his Chair, by four or five Men with drawn Swords ; but he made so good a Defence, with the Assistance of his Footmen and Chairmen, that those who assaulted him were obliged to make their Escapes ; nor was it ever known who was so kind to owe his Grace this Favour.

His unalterable Loyalty to King *James*, made him suspected of holding Correspondence with the Court of *St. Germans* ; and it was not long after this Assault, that he, together
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with Sir Robert Hamilton and others, was sent to the *Tower*: And so great was the Resentment against him, that he was for some time refused the benefit of the *Habeas Corpus* Act; but at length was admitted to Bail, the Duke of Grafton, Earl of Feversham, &c. being bound each in the Sum of 5000 l. for his Appearance.

After this he retired into *Scotland*, where he lived privately, and never intermeddled in any publick Affairs till the Year 1698, and not then, but at the request of the Nobility and Gentry of *Scotland*, who thought themselves much injured by the Treatment they met with, in relation to the Settlement at *Darien*.

About this time the Duchess his Mother made a surrender of her Titles in Favour of her Son (for tho' his Father died about the Year 1695, yet he was not advanced in Honour; that passing as well as the Estate, by Right of Inheritance to his Mother, as Heir-General to the House of *Hamilton*,) and a Patent was procured from the King, at the Consent and Request of the Duchess, creating him Duke of * *Hamilton*, &c. with Precedency, in the same manner as though he had succeeded thereto by his Mother's Death.

On the Accession of the late Queen, the continuing of King *William's* Parliament in *Scotland*, was very much opposed there; and the House being convened, the Duke desired

* See all his Titles under his Effigies.

to be heard, and in his own Name, and the Name of those that adhered to him, spoke as follows.

“ We are come here in Obedience to her
 “ Majesty’s Command, and we are all hear-
 “ tily glad of her Majesty’s happy Accession
 “ to the Throne ; not meerly on Account
 “ that it was her undoubted Right, as being
 “ Lineally descended from the Ancient Race
 “ of our Kings ; but likewise, because of the
 “ many Personal Vertues and Royal Qualities
 “ her Majesty was endowed with, which
 “ gave them Ground to hope, that they
 “ should enjoy under her auspicious Reign, all
 “ the Blessings that could attend a Nation,
 “ which had a loving and gracious Sovereign
 “ united with a dutiful and loving People ;
 “ that we were resolved to sacrifice our Lives
 “ and Fortunes in Defence of her Majesty’s
 “ Right, against all her Majesty’s Enemies
 “ whatsoever ; and that they had all the De-
 “ ference and Respect for her Majesty’s Go-
 “ vernment and Authority, that was due
 “ from Loyal Subjects to their Rightful and
 “ Lawful Sovereign : But that at the same
 “ time they acknowledged their Submission to
 “ her Majesty’s Authority, they thought them-
 “ selves bound in Duty, by the Vertue of the
 “ Obedience they ow’d to the standing Laws
 “ of the Nation, and because of the Regard
 “ they ought to have for the Rights and Li-
 “ berties of their Fellow-Subjects, to declare
 “ their Opinion as to the Legality of that
 “ Meeting ;

“ Meeting ; that they did not think them-
“ selves warranted by Law, to sit and act
“ any longer as a Parliament ; and that by
“ so doing, they should incur the hazard of
“ their Lives and Fortunes, if ever their
“ Proceedings should come to be question’d
“ by a subsequent Parliament.

The Duke then read a Paper, which contained the Reasons of their dissenting from the Proceedings of the other Members, who thought themselves impowered to sit and act as a Parliament ; and then his Grace withdrew, and was followed by Seventy nine Members, who adhered to him in the Dissent. The Words of the Paper which the Duke read in the House before he withdrew, were these ;

“ Forasmuch as by the fundamental Laws
“ and Constitutions of this Kingdom, all Par-
“ liaments do dissolve by the Death of the
“ King or Queen, excepting so far as innova-
“ ted by the 17th Act, of the 6th Session of
“ King *William’s* Parliament empowering the
“ Parliament in being at his Majesty’s Death,
“ to meet and act what should be needful for
“ the Defence of the true Protestant Religion,
“ as now by Law establish’d, and maintain-
“ ing the Succession to the Crown as settled
“ by the Claim of Right, and for preserving
“ and securing the Peace and Safety of the
“ Kingdom. And now seeing that the said
“ Ends are fully satisfied by her Majesty’s
“ Succession to the Throne, whereby the
“ Religion

“ Religion and Peace of the Kingdom is secured; we conceive our selves not now warranted by this Law to meet, sit, or act, therefore do dissent from any thing that shall be done or acted, and thereupon take Instruments.

Hereupon the Duke took Instruments, and craved an Abstract of his Protestation, and Seventy nine Members of the first Quality and of the best Estates in the Kingdom adhered thereto, and withdrew out of the House.

In this, and all other succeeding Parliaments he made the most considerable Figure of any Man of his time; though it is very difficult to single out every little Article he was distinguished by: One of his chiefest Commendations was, that he never deviated from the Honour and Interest of his Country; but in a thousand Instances convinced the World there was no Temptation capable to bribe him upon that Head. He proved very uneasy to the Ministry and the then Measures; and though he had all the Disadvantages imaginable to combat with; yet he surmounted them all, and deservedly procured himself the distinguishing Character of a Patriot of his Country. And had not his Grace been deserted by some who pretended to be his Friends; and of his Sentiments, he had bid fair by his good Conduct, to have prevented the Inconveniences which afterwards befell his Country.

Duke of HAMILTON. [97]

In the Parliament where the Union of the two Kingdoms, was concluded, he shewed a great deal of Ardour in endeavouring to preserve the Ancient Honour and Rights of his Country, by appearing strenuously against it in every Step; and though to no Purpose, yet he had the Satisfaction to know he had done his Duty; which afterwards afforded him no small Comfort, when he found those People who had been the most violent in carrying it on, agree with him, that it was of the most pernicious Consequence to *Scotland*.

After the Conclusion of the Union, he continued in *Scotland* till about the time of the late Invasion, when, among many other of the Nobility of that Nation, he was taken into Custody of Messengers, and brought to *London*; but a very few Days after his arrival there, Her Majesty and the Ministry were so well satisfied, that he was set at Liberty, upon giving Bail, which was soon after discharged, and he immediately returned to *Scotland* again; and by his Interest got himself and six more of his Friends elected Peers, to sit in the House of Lords, contrary to the united Interest of the then Ministry, and on all Occasions continued to distinguish himself for the Interest of the Crown, particularly in the Tryal of Dr. *Sacheverell*, where his Speeches and Votes were consistent and agreeable to his constant Principle of supporting the Monarchy. In the Year 1710 he was

[P] made

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made Lord-Lieutenant of the County *Palatine* of *Lancaster*, *Custos Rotulorum* for the said County, and Ranger of her Majesty's Forests there, and Admiral of the Sea-Coasts, and sworn of her Majesty's most Honourable Privy Council.

The next Year her Majesty was pleased to create him a * Peer of *Great Britain*, by the Title of Duke of *Brandon*, in *Com. Suff.* and Baron *Dutton*, in *Com. Cestr.* In the Preamble to this Patent, (which bears date 10 *Sept.* 1711, 10 *Q. Anne*) her Majesty takes particular Notice of his near Relation to the Royal Family, and of the uninterrupted Loyalty and Fidelity payed to her Royal Predecessors by the Duke's Ancestors, from which he himself had never swerved.

Upon the Death of the Earl *Rivers* in 1712, he was made Master General of the Ordnance, and soon after elected one of the Knights Companions of the most Noble Order of the Garter: And though his Grace met with considerable Opposition, and had a Precedent against him; yet he prevailed with her Majesty to allow him to keep both Orders; and her Majesty was so much satisfied with the reasonableness of it, that she was pleased to declare, she would wear both Orders herself.

* Preamble to his Patent. See the *Appendix*. Numb. 1.

Duke of HAMILTON. [99]

In 1713, in Conclusion of the Treaty of Peace, he was appointed Ambassador Extraordinary to the Court of *France*, an Office he was perfectly qualified for; but before he set out for that Kingdom, he was unfortunately killed in a Duel by *Charles Lord Mohun*, which happen'd on the 15th of *November 1712*, and the Duke died the same Day. The Quarrel was occasion'd in the manner following.

His Grace being upon *Thursday* the 13th of *November, 1712.* at Mr. *Orlebar's* Chambers, in relation to some Affairs in Difference between him and *Lord Mohun*; his Grace's Council objected against the hearing of one of *Lord Mohun's* Evidence, the Man having lost his Memory. To which the *Lord Mohun* replied, The Evidence had as much Honour and Justice in him as his Grace. This, tho' very harsh, yet was overlooked by his Grace. But my *Lord Mohun* being heated with Wine, wou'd send a Challenge to the Duke, and desir'd General *Maccartney* to carry it. He call'd several times at his Grace's House in one Morning, and left a Message with the Porter, that he would call at four in the Afternoon, and desir'd his Grace would then be at Home; he came again at that Hour, met his Grace, delivered him the Challenge, and they afterwards appointed to meet at *Hyde-Park* the next Day, being the 15th of *November*, at eight in the Morning. They met accordingly, and his Grace, before he

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drew his Sword, turned to Gen. *Maccartney*, and told him, Whatever should be the Event of that Day, he was to blame for all. And when Lord *Mohun* pressed the Seconds might not Fight, General *Maccartney* said they would have their Share. All four drew, the Duke run the Lord *Mohun* quite through the Body, and immediately after, his Grace received a Wound in the right Arm, but his Grace immediately run him in at the right Side of the Groin, and through the left Side of the Thigh. With the violence of this Thrust Lord *Mohun* fell, and his Grace above him. Colonel *Hamilton*, who had by this time disarmed General *Maccartney*, seeing his Grace lying upon Lord *Mohun*, ran to the Duke's Assistance; and that he might the more easily help him, he flung down both the Swords; and as he was raising up my Lord Duke, General *Maccartney* took up his own Sword, came in behind the Duke, and reaching his Sword over his Grace's left Shoulder, stabbed him in his left Breast, (as Colonel *Hamilton* deposed. †)

It will appear what Temper and good Disposition his Grace was in, by the following Letter, wrote the Night before this unhappy Duel, to his Son in *Scotland*.

† See the *Appendix*. Numb. 2.

Duke of HAMILTON. [101]

My dear Son, London, Nov. 14. 1712.

I Have been doing all I could to recover your Mother's Right to her Estate, which I hope shall be yours. I command you to be dutiful towards her, as I hope she will be Just and Kind to you: And I recommend it particularly to you, if ever you enjoy the Estate of Hamilton, and what may, I hope, justly belong to you, (considering how long I have lived with a small Competence, which has made me run in Debt,) I hope God will put it into your Heart to do Justice to my Honour, and pay my just Debts: There will be enough to satisfy all, and give your Brothers and Sisters such Provisions as the State of your Condition, and their Quality in Scotland will admit of.

I pray God preserve you, and the Family in your Person. My humble Duty to my Mother, and my Blessing to your Sisters. If it please God I live, you shall find me share with you what I do possess, and ever prove your affectionate and kind Father, whilst

HAMILTON.

I again, upon my Blessing, charge you, that you let the World see you do your Part in satisfying my just Debts.

Addressed thus,

To my dear Son,

The Marquis of CLIDSDALE.

How

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How great Instances of Honour and Justice there appears in this Letter, the candid Reader will easily acknowledge; no Man perhaps ever excelling the Duke in those shining Qualities.

His first Marriage was with the Lady *Anne Spencer*, eldest Daughter to *Robert Earl of Sunderland*, by whom he had no surviving Issue.

He married to his second Wife *Elizabeth Gerard*, Daughter and sole Heir to *Digby Lord Gerard of Bromley*, (a Lady of great Wit and Beauty, and all the fine Accomplishments that adorn her Sex,) with whom he had a very considerable Estate in *Lancashire* and *Staffordshire*, and by Her, had Lady *Elizabeth*, who died young; Lady *Katherine*, who died that Day Seven-night the Duke her Father was kill'd; *James* now Duke of *Hamilton* and *Brandon*; Lady *Charlotte*, Lord *William*, Lady *Susan*, and Lord *Anne*, so Christened, in regard of Her Sacred Majesty Queen *Anne*, who was his Godmother.

But to return, the Government was very active in examining into the manner of the Duke's Death, by summoning Evidence, and taking † Depositions, and giving other publick Demonstrations of Concern for the Loss of so great a Subject.

† See the Appendix. Numb. 3.

Duke of HAMILTON. [103]

In the mean time, strict search was made after General *Maccartney*; and her Majesty, justly touched with the Loss of so Noble and Good a Subject, as well as with the means of effecting it, was pleased to issue out her Royal Proclamation for the apprehending him: To which the *Dutchess of Hamilton* added the promised Reward of 300 *l.* by an Advertisement in the *Gazette*, &c. But being concealed, he found means to make his Escape beyond Sea. Colonel *Hamilton* having surrendered himself, was brought to his Tryal, and found Guilty of Manslaughter only. It is observable that the Lady *Mohun* lodged an Appeal against him, but this was after set aside.

The Peers of *North Britain* gave a publick Testimony of their great Regard to the Memory of the Duke, by uniting in an Address to her Majesty, that she would be pleased to write to all the Kings and States in Alliance with her, not to give Shelter to a Person charged with so Dishonourable a Fact, but to cause him to be apprehended, if he should retire within their Dominions, and send him over to *Great Britain*, that he might come to publick Justice.

The Duke was a Man of admirable Parts, and excellent Qualities. He had a sound Judgment, and quick Apprehension, improved by a great Application to Business; of a Noble Nature and Generous Disposition; he was easie of Access, of a most flowing Courtesy and Affability to all Men, and very well understood the Arts of a Court, and was in his Nature Just, Candid,

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did, Liberal and Generous, being of a ready Wit, and a pleasant facetious Humour. His Judgment was profound, He had quick Conceptions and Apprehensions of Things, was of great Sagacity in Business and Industry not to be tired, being seldom in Bed above six Hours; he was sometimes, to a fault, not sudden in taking Resolutions; but when taken, no Body executed them with more Vigour and Courage. He had a wonderful Understanding in the Natures and Humours of Men, and as great a Dexterity in applying them, being universally acceptable, and of great Address and Insinuation to bring any thing to pass which he desired. When he spoke in Publick, as he did very often in the Parliament of *Scotland*, he did it very gracefully and pertinently; and though it was in a plain Manner, without the Ornament of Elocution, yet he had a strange way of making himself believed, and commonly conducted Things to the Conclusion he desired: And he was particularly Remarkable for a Readiness of Expression, upon any sudden Debate; for no Man delivered himself more Advantageously and Weightily, and more Efficaciously with the Hearers; nor did any Body draw so many to a Concurrence with him in his Opinion, whereof there were a great many Instances in the Parliament of *Scotland*. He had a very great Spirit of Courage not to be daunted, entirely Fearless, which was manifested in all his Actions, and in Contests with particular Persons of the
greatest

greatest Reputation; and none alive was capable of a higher sense of Honour, nor more unable to stoop to any thing that was fordid or mean. He was of undoubted Loyalty to the Crown; that Virtue was Hereditary to him, being descended from Ancestors who had always paid an uninterrupted Fidelity to their Princes, and transmitted their unblemish'd Loyalty as an Entail upon their Family; and this Duke's Grand-father, when he was going to suffer for his Loyalty in 1648, has in his *Speech* this Expression, " For my own part, " I do protest never to have swerved from " that true Allegiance which was due to him, " (King *Charles I.*) and that hath constantly " been paid (to my Comfort I speak it) to his " Progenitors, by my Ancestors, for many " Ages without spot or dishonour, and I hope " will be still by my Successors to his Posterity. This last part was truly fullfilled in the Duke, whose Character I write: For never any Man was of more unquestionable Loyalty, Duty, and Fidelity to the Crown; and the Princess he had the Honour to serve, did him all the Justice his Heart could wish; King *Charles II.* had a mighty Esteem for him, and frequently told him, he look'd upon the Interest of the Royal Family and the Duke's to be inseparable; so long as that flourished, the other would do so of consequence; and if ever that fell into Misfortunes, this would follow the same Fate. And when the late Earl of *Sunderland* appeared for the Bill of Exclusion,

the Duke, who had contracted a Friendship with that Earl, went to the then Duke of York, and expressed his Concern, that any Body he had a Friendship for should have appeared against his Highness's Interest; and offered if his Highness pleased, never to converse with him any more: The Duke's Answer was, *No my Lord, continue your Friendship; I wish no Body conversed with him but such as you; you may perhaps do him good, for I know your Fidelity to my Brother and me, to be superiour to any Temptation.* And indeed his Grace very well deserved this just Opinion of these two Princes; for never any Subject served them with more untainted Fidelity than he: And though he did by no means approve of some irregular Steps taken in the Reign of the last of these Brothers; yet he was of Opinion they were not sufficient Arguments to dissolve his Allegiance, or make him embrace any Interest opposite to that of the Crown; and therefore when he was called to a Meeting of the other Peers of Scotland that were then in London, to concert what Measures they should take, he strenuously opposed the Addressing the then Prince of Orange to take the Government of that Country: And though he expressed his Dissatisfaction with some late unhappy Steps; yet he proposed calling back King James, and that they might Address him to call a Free Parliament; but the greater Number being of a different Opinion and in different Interests, his Proposal was

not

not relished. As to his Country, as he had the greatest Interest in it of any Subject, so his Affection to it was far from yeilding to any; but on the contrary, he studied their Advantage before all other Things. He was very well acquainted with the Government and Customs of his own Country, and the Nature of the People; and was very much conversant in the History thereof, and at a considerable Expence collected a great many Original Papers and Manuscripts in relation thereto. It was purely out of regard to that, that he in the least meddled in Publick Affairs, and in a thousand Instances shewed no Temptation could prevail upon him, to enter into any Measures destructive to it. And when the Union between the two Kingdoms was concluded, and upon the point of being Enacted into a Law, he gave a signal Instance of his Regard to his Country, and spoke to this Effect, " My Lord Chancellor, The Union of
" the two Kingdoms is now to be Enacted in-
" to a Law; I have opposed it in every Tit-
" tle and Article, as being of Opinion it is
" entirely destructive to the Interest of my
" Country, a Consideration which shall al-
" ways weigh much with me; and upon
" this Reason alone have I stickled so much
" against it; nothing of Pique or Prejudice
" has had the least influence with me; for I
" assure your Lordship, had either of my
" dear Masters King *Charles II.* or the late
" King *James*, of ever blessed Memory, to both

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“ of whom I owe the greatest Obligations ; of which I shall always bear a grateful Remembrance, and whose Commands were always to me a Law ; Yet my Lord had either of these Kings been upon the Throne, and proposed and pressed a Union so destructive and pernicious to my Country, I would have then acted the same part I do now, and opposed it with the same unalterable Resolution ; and I wish your Lordship and others, who have carried on this Matter, do not be too soon perswaded of the Justice of my Reasoning when it is too late. A Speech entirely worthy of such a Patriot and Prince ; and as no Body loved his Country more, so he had great Interest in the Affections of the People : He was the most universally esteemed and beloved of any Man of the Age ; and when his Death reached Scotland, the whole Nation was in the utmost Concern and Grief, and lamented the Loss of their Common Parent : Every Body went into Mourning, and the Churches were hung with Black : In short, no Body ever died so exceedingly lamented by Men of all Qualities, from the Crown to the Peasant ; and it was deservedly, for he certainly had as many Vertues and as few Faults as any Man. He was an obliging Husband, an indulgent Father, a gracious and good Master, and a constant Friend.

THE



T H E APPENDIX.

Number I.

WHEREAS the Ancestors of our very Faithful and entirely Beloved Cousin and Councillor, *JAMES* Duke of *Hamilton*, Marquis of *Clidfsdale*, Earl of *Arran* and *Lanarch*, Lord of *Polmont*, *Avenn*, *Machanshire* and *Innerdale*, have very much recommended themselves to our Royal Predecessors of most Glorious Memory, by the Nobleness of their Birth, Eminent Services, and by their unspotted Loyalty, even unto Death, and also their Proximity in Blood ; We taking notice that the said *JAMES* Duke of *Hamilton*, treading in the Steps of his most Noble Family, and by his Virtue, and unshaken Constancy and Fidelity, has continu'd to illustrate that Affinity by which he is Related to our *Royal Lineage* : That both himself may have some Monument of our singular Benevolence, and that his Posterity may be excited by his Grandeur and Dignity, to perform things worthy of so great a Name ; We have Decreed to Adorn and Advance with new Titles the Ancient Honour descended to him from his Noble Ancestors.

Now know ye, &c.

Number

 Number II.

The Depositions of Colonel Hamilton.

THat on *Saturday* Morning, the 15th Instant, Duke *Hamilton* sent his Servant to Colonel *Hamilton*, desiring him to get up and dress immediately; but before he was half ready, the Duke himself came and hurried him into his Chariot so soon, that he finish'd the Buttoning his Waistcoat there. By that time they had got into *Pall-Mall*, the Duke observ'd that the Colonel had left his Sword behind him; whereupon he stopt his Chariot, and gave his Footman a Bunch of Keys, with Orders to fetch a Mourning-Sword out of such a Closet. At the Return of his Footman, they drove on to *Hyde-Park*, where the Coachman stopt, and the Duke order'd him to drive on to *Kensington*. When they came to the Lodge, they saw a Hackney-Coach at a Distance, in which his Grace said, *There was some body he must speak with*; but driving up to it, and seeing no body, he ask'd the Coachman, *Where the Gentlemen were whom he brought?* He answer'd, *A little before.* The Duke and the Colonel got out in the Bottom, and walk'd over the Ponds Head, when they saw the Lord *Mobun* and General *Maccartney* before them. As soon as the Duke came within hearing, he said, *He hop'd he was come time enough*; and *Maccartney* answer'd, *In very good time, my Lord.* After this they all jumpt over the Ditch into the Nursery; and the Duke turn'd to *Maccartney*, and told him, *Sir, you are the Cause of this, let the Event be what it will.* *Maccartney* answer'd, *My Lord, I had a Commission for it.* Then my Lord *Mobun* said, *These Gentlemen shall have nothing to do*

do here; at which *Maccartney* said, *We will have our Share*; then the Duke answer'd, *There is my Friend then, he will take his Share in my Dance.* They all drew immediately, and *Maccartney* made a full Pass at *Hamilton*; which he parrying down with great force, wounded himself in his Instep; however, he took that Opportunity to close with and disarm *Maccartney*; which being done, he turn'd his Head, and seeing my Lord *Mohun* fall, and the Duke upon him, he ran to the Duke's Assistance; and that he might with the more ease help him, he flung down both the Swords; and as he was raising my Lord Duke up, he says, That he saw *Maccartney* make a push at his Grace; that he immediately look'd to see if he had wounded him; but seeing no Blood, he took up his Sword, expecting *Maccartney* would attack him again; but he walk'd off. Just as he was gone, came up the Keepers and others, to the Number of nine or ten, among the rest *Ferguson*, my Lord Duke's Steward, who had brought *Bouffier's* Man with him; who opening his Grace's Breast, soon discovered a Wound on the Left Side, which came in between the Left Shoulder and Pap, and went slantingly down through the Midriff into his Belly.

Number III.

Joseph Hipposly Porter to Duke Hamilton,
Swore,

THAT on *Friday*, the 14th in the Morning, Lieutenant General *Maccartney* came in a Chair to speak with his Lord, and told this Deponent had some Business with his Grace; and that he was a Gentleman come out of the North, That he
wrote

wrote down his Name in his Book, and told his Grace of it; who ask'd what Sort of a Man he was? Whom he describ'd as well as he could: That he likewise came again three several times, and the last time about Four a Clock, when he saw the Duke, with whom he staid but a short time, and then the Duke complimented him to the Door, and he went away.

John Sisson Drawer at the Rose-Tavern,
Swore,

THat on Friday Evening, 14th of November about Five a Clock, my Lord Mohun and another Gentleman were there. The Gentleman ask'd, *Whether Stars and Blue Garters did not use the House?* He answer'd, *Yes.* Then he asked him, *Whether Duke Hamilton did not come there sometimes?* The Drawer answer'd *Yes.* The Gentleman said he would be here in a short time, and when he came he should shew him into another Room. The Duke came soon after with another Gentleman, and ask'd for General Maccartney; who hearing his Grace ask for him, came immediately out to him, and the Duke and he went into a Room together. They bid the Drawer bring a Bottle of French Claret, and they two drank part of it. General Maccartney returned to my Lord Mohun, and in about a Quarter of an Hour the Duke and the other Gentlemen, who staid in another Room while the Duke and General Maccartney were together, went away.

John

John Chaboner, *Waiter at the Bagnio in Long-Acre, Swore,*

That my Lord *Mobun* coming to the *Bagnio*, he lighted him up Stairs, pull'd off his Stockins and Shoes, and gave him his Morning-Gown: Then my Lord *Mobun* walked up and down in the Room with his Arms folded, and seem'd to be Thoughtful, but was very Sober, and said he would go to Bed. General *Maccartney* came there about an Hour after, my Lord being a Bed in the same Room. *Maccartney* not liking the Fellow that waited on my Lord *Mobun*, call'd for another, whom he ask'd if he *loved the French*? The Fellow said, *No*. He bid him call him in the Morning at Six a Clock, which he did, and found him snoring.

John Reynolds of Price's Lodge in the Park, Swore,

That hearing of a Quarrel, he and one *Nicholson* got Staves and ran to part them: That he, *Reynolds*, was within thirty or forty Yards of Duke *Hamilton* and my Lord *Mobun* when they fell. That my Lord *Mobun* fell into the Ditch upon his Back, and Duke *Hamilton* fell near him, leaning over him. That the two Seconds ran in to them; and immediately after them, this *John Reynolds*, who demanded the Seconds Swords, which they gave him without any Resistance. He then wrested the Duke's Sword out of his Hand; and *Nicholson* took away my Lord *Mobun's*, and gave it to *Reynolds*, who carried the four Swords some Distance from the Parties: He return'd and help'd

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to lift Duke *Hamilton* up, who still lay on his Face. He got him up, and he walk'd about thirty Yards; they desired him to walk farther, and he said he could walk no farther. He was ask'd what became of their Swords? and he said, they had not been out of his Possession from the time he took them out of the Parties Hands till the Day they were brought to the Jury.

Joseph Nicholson Labourer, Swore,

THAT *John Reynolds* Drawer at *Price's* Lodge, came out of the House with two Sticks, bid him throw by his Wheel-barrow and take one of them, for he believed there was a Duel: They ran, and about the distance of One hundred and ten Yards from the Gentlemen, they saw one there throw of his Cloak, and he and another draw their Swords; two other Gentlemen drew their Swords at the same time; the Duke and Lord *Mohun* (whom he knew afterwards to be so) made violent Passes at each other, and then fell. He was ask'd if the other two fought? He said that they stood with their Swords pointed towards each other, but did not see them Fight. As soon as the Lords were down, the two Gentlemen ran to them, and were about four Yards before *John Reynolds*, he being about four Yards behind *John Reynolds*, by reason they fell when they first began to run. When *Reynolds* and *Nicholson* came in, one Second had hold of one Lord's Sword-hand, and the other Second of the other, each of the Second's Swords being in their Right Hands. The Seconds delivered their Swords to *John Reynolds* without any Resistance, and desired them to break or bend them; they bent General *Maccartney's*, but could not
the

the other, and then laid them by: *John Reynolds* took the Duke's, and *Nicholson* my Lord *Mohun's*, who said he was wounded, and would deliver his Sword if the Duke would his; he likewise heard the Duke's Second say, *By G--d my Lord Duke's killed*; and the other said, *By G--d my Lord Mohun's killed*; the Former then said, *We have made a fine Mornings Work on it.* Then General *Maccartney*, (as he afterwards appeared to be) took this *Nicholson* by the Hand, and said to him, *Honest Friend, bear witness that we endeavoured to part them; and pray remember that I in the Grey Cloaths and Silver-lac'd Hat tell you so.* When *Reynolds* had taken up my Lord Duke, *Nicholson* and General *Maccartney* endeavoured to lift up my Lord *Mohun*. *Nicholson* said, I believe he is Dead: *Maccartney* answered, *God forbid; perhaps his bleeding Inwardly may make him sick, turn him on his Side, that his Wound may bleed Outwards*; which was done: Then General *Maccartney* desired that he might be turned on his Belly, which was also done: *Nicholson*, my Lord's Footman, and others, help'd Lord *Mohun* into the Coach by General *Maccartney's* Direction. He was ask'd how he knew they were Duke *Hamilton* and Lord *Mohun*? He answered, by hearing People say so: He was likewise ask'd what became of the other two Gentlemen? He answered he could not tell.

John Pennington Hackney-Coachman, Swore,

That on *Saturday Morning*, (*November 15.*) about Seven a Clock he was called from *Bowstreet* in *Covent-Garden*, to the *Bagnio* in *Long-Acre*, where he took up my Lord *Mohun* and another Gentleman. My Lord *Mohun* bid him

drive to *Kensington*; but when he came near *Hide-Park* he ordered him to drive in there: They were stopped at the Gate; but telling the Keeper they were going to *Price's Lodge*, he let them in: My Lord then ask'd the Coachman if he knew where they could get any thing that was good, it being a cold Morning? He said at the House near the *Ring*. When they came near the House, they both got out of the Coach, and bid the Coachman get some *Burnt-Wine* at the House while they took a little Walk. He went into the House, and told the Drawer he brought two Gentlemen, who bid him get some *Burnt-Wine* against they came back; the Drawer said he would not, for very few came thither so soon in the Morning but to fight: The Coachman said he believed they were very civil Gentlemen, but however he'd dog them. A Groom rode up to him, and told him, there were two Gentlemen at his Coach, who he suppos'd wanted him; he ran back, and found Duke *Hamilton* and another Gentleman there; the Duke ask'd him whom he brought? He answered, My Lord *Mobun* and another Gentleman. He ask'd him which way they were gone? He shewed them, and ran to the House, telling the Man, that Duke *Hamilton* and a Gentleman followed my Lord *Mobun* and the other Gentleman, and that he feared they were going to fight; he desired the Man to make all the haste he could, and bring any Body he could get with Staves to prevent them, for he fear'd there would be Murther, and he'd run before. He got behind a Tree within fifty Yards of them, from whence he saw the Duke throw off his Cloak, and my Lord *Mobun* his Coat, and both drew their Swords, making violent Passes at each other; upon which they both fell, he being then within thirty Yards of them. He was asked, *Whether the two other Gentlemen drew their Swords? And how far they were*

were from the Lords when they fell? And whether they Fought or not? He answered, they drew their Swords, but did not fight; and that they were some Yards distant from the Lords when they drew, and continued so till they fell. He was ask'd again if the Seconds fought? He answered, They did not, but ran to the Lords when they fell. Two Men who followed him from the House with Staves were not more than four Yards behind the Seconds; which two Men with the Staves demanded their Swords, which they readily delivered. He being asked which of the Lords was uppermost? He said, he could not tell; he then ran for his Coach. My Lord Mobun's Footman and the two Men put my Lord into this Pennington's Coach; my Lord being almost Dead, his Second bid him carry him to his Lodgings in *Marlbro'-street*: The Coachman ask'd him who must pay him? He said the Footman. The Coachman took him by the Sleeve, and said, He brought him as well as my Lord, and that he shou'd pay him; then he gave him half a Crown: He was ask'd if he knew who that Gentleman was? He said, 'twas General Maccartney, the Footman having told him so as they were carrying my Lord Mobun to *Marlbro'-street*.

John Lesly Footman to Duke Hamilton, Swore,

THat the Duke sent him to Colonel Hamilton's Lodgings at the *Golden Peruke* at *Charing-Cross*, to desire him to get up and dress him, for his Lord would come in his Coach and call him. Being return'd back, he found the Duke was just getting into his Coach, and he got up behind. The Duke then drove to the Colonel's Lodgings, and went up to him: Soon after they both came down together, got into the Coach, and bid

bid them drive to *St. James's House*, but stopp'd the Coach at the Corner of *St. James's Square*, where my Lord *Portland* lives, and the Footman coming down from behind the Coach, my Lord Duke gave him a Bunch of Keys out of his Pocket, and bid him go to such a Closet, and bring his Mourning Sword, which he did, and gave it into the Coach to Colonel *Hamilton*, and Colonel *Hamilton* gave his Sword out, and bid the Footman give it to the Boy behind the Coach. He then ordered the Coachman to drive to the upper End of *St. James's Street*; when he came there he bid them drive them directly to *Kensington*; and when they came into *Hyde-Park* the Duke went out of the Coach in the Road that goes to *Kensington*, over-against *Price's Lodge*, and walk'd over the Grass, and between the two Ponds. When he went out of his Coach he charged his Coachman, Footman, and Colonel *Hamilton's* Boy, to go and stay at the Corner of the *White Pales*. The Footman thinking his Grace long, went towards the Place where he sat them down, and there first met General *Maccartney* walking towards *Kensington*; and immediately after he met Colonel *Hamilton*, and asking him for his Lord, he told him, *This was the worst Morning he ever saw, for he feared his Lord was mortally wounded.* The Footman ask'd by whom? Colonel *Hamilton* answered, *My Lord Mohun.* Then the Colonel asked the Footman *where his Lord's Coach was?* He answered him, *Near the White Pails near Kensington*; he desired the Footman to walk fast, and shew him to it; accordingly they hastened to it. He was ask'd how far General *Maccartney* was before them? The Footman answered, *That he was in sight, walking towards Kensington.*

and went up to him: Soon after they came down together, and into the Coach, Rice

Rice Williams, my Lord Mohun's Footman,
Swore,

That on Thursday, November 13th, his Lord went to Mr. Olebar a Master in Chancery's Chambers, where he met Duke Hamilton; he heard them talk angrily; the Door at which he waited being open, he farther heard the Duke, at the reading (as he suppos'd) of Mr. Whitworth's Deposition, say, That the Evidence he had given had neither Truth nor Justice in it. To which his Lord replied, *He knew Mr. Whitworth to be an honest Man, and had as much Honour and Justice in him as his Grace.* Then the Door was shut. Soon after the Duke came down, and staid in the Court to make Water; my Lord Mohun came down also, and passed by the Duke without taking any Notice of him. My Lord supp'd at the Queens Arms in Pall-Mall, and from thence went home to Bed: He went out about nine the next Morning to General Maccartney's Lodgings, where he staid about half an Hour; Colonel Jos. Churchill lodging in the same House with General Maccartney, this Deponent took an Opportunity to tell him, *he fear'd his Lord and Duke Hamilton would quarrel.* Upon which the Colonel went up to my Lord Mohun, and told him what his Footman had said. A little while after my Lord called up this Williams, and asked him, *Why he concerned himself with his Affairs?* saying, *There was nothing in it, and that the Report of such a Thing might do him Harm;* Then he sent him to the Globe-Tavern to bespeak a Dinner. His Lord and General Maccartney went thither about one a Clock, and soon after Sir Robert Rich and Colonel Jos. Churchill came, where

where they all dined together. His Lord supped at the *Queen's-Arms* in *Pall-Mall* with the Duke of *Richmond*, Sir *Robert Rich*, Colonel *Jos. Churchill*, and a Gentleman he did not know. About twelve a-Clock his Lord sent him of an Errand. When he return'd, his Lord was gone. He ask'd the Drawer whither he was gone? But could not learn, so he went to the *Bagnio* in *St. James's-street*, and two other Places to seek him; but not finding him, he went Home. In the Morning about seven a-Clock, going into *Piccadilly*, he saw Duke *Hamilton*, and a Gentleman with him, in his own Coach, driving towards *Hyde-Park*, which confirm'd him in his Belief, that my Lord and Duke *Hamilton* were going to fight: He ran up *May-Fair*, being the nearest Way, and endeavour'd to get over the *Park-Wall*, which he was long a doing; he went near the Place where the two Lords with their Seconds were, and saw the two Lords draw their Swords, pushing at each other with great Violence: Upon which they both immediately fell; he then ran in, and found his Lord almost Dead; a Hackney-Coachman, that was there, told him, that 'twas he who brought his Lord; General *Maccartney* bid them put him into the Coach, and carry him to his House in *Marlborough-street*, which they did.

FINIS.

